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The International Comparative Legal Guide to:

Corporate Tax 2010

A practical insight to cross-border Corporate Tax work

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1 General: Treaties

1.1 How many income tax treaties are currently in force in Portugal?

The Portuguese Tax Treaties' network comprises of 53 income Tax Treaties currently in force.

1.2 Do they generally follow the OECD or another model?

Portugal has in general been following the OECD Model Convention although it has made some reservations to some of its articles which are reflected in some of the Tax Treaties in force. The exception is the Tax Treaty with the USA which follows the US Model.

1.3 Do treaties have to be incorporated into domestic law before they take effect?

Portugal follows a monist system whereas Tax Treaties do not need to be incorporated into domestic law to take effect.

1.4 Do they generally incorporate anti-treaty shopping rules (or "limitation of benefits" articles)?

As the Portuguese tax treaty network is in line with the OECD Model Convention, tax treaties usually incorporate a beneficial ownership limitation.

Since the Tax Treaty entered into between Portugal and the USA follows the US Model Convention, it includes a LoB clause.

Additionally certain specific anti-treaty shopping provisions may be found in particular Tax Treaties (such as in the Tax Treaty with Spain).

1.5 Are treaties overridden by any rules of domestic law (whether existing when the treaty takes effect or introduced subsequently)?

Tax Treaties prevail over domestic non-constitutional law and therefore are not overridden by either existing or subsequent law. Only the Portuguese Constitution prevails over Tax Treaties.

2 Transaction Taxes

2.1 Are there any documentary taxes in Portugal?

Stamp Duty is levied on a broad range of acts, documents and transactions deemed to take place within Portuguese territory, in particular, upon the acquisition of real estate, certain capital contributions (either upon incorporation or share capital increase) and upon the granting of credit and guarantees. However, capital contributions upon share capital increases in cash are no longer subject to stamp duty.

The acquisition of real estate is liable to stamp tax at the rate of 0.8%, levied on the higher of the purchase price of the real property and its fiscal value.

As for the granting of credit, generally stamp tax is levied on the amounts lent at rates that vary depending upon the term during which the credit is used by the beneficiaries. In case of credit obtained from banks or other financial entities (even if not established in Portugal), interest and commissions are also liable to stamp duty.

Guarantees are taxed under similar rules, though an exemption applies to those considered materially incidental transactions already liable to stamp tax and provided that the guarantees are granted simultaneously with those transactions.

2.2 Do you have Value Added Tax (or a similar tax)? If so, at what rate or rates?

Portugal has a VAT regime which is based on the 6th VAT Directive and aims to tax the consumption of goods and services, falling on all phases of the economic circuit, from the production to the retail. It includes transactions made in Portugal, but also the intra-Community acquisitions of goods and services and when Portugal imports from foreign countries.

There are 3 VAT rates:

- A reduced rate of 5% (4% to Madeira and Azores), applicable essentially to basic food, first necessity goods and services and goods in connection with agriculture.
- A medium rate of 12% (8% to Madeira and Azores), applicable essentially to other food than basic, agricultural equipment, renewable energies equipment and catering.
- A general rate of 20% (14% to Madeira and Azores), applicable to all goods and services not included in the previous ones referred.

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2.3 Is VAT (or any similar tax) charged on all transactions or are there any relevant exclusions?

There are two major categories of exemptions: exemption with credit ("zero rate transactions") and without credit.

In the exemption without credit the taxpayer is not allowed to recover the input tax charged in the expenses related with the exempt supplies. The main supplies which are exempt without credit include sales and leases of real estate, ordinary bank insurance and other financial services' insurance and reinsurance carried out by insurance brokers and agents, postal services, legal services and educational services.

The zero rate transactions with credit are VAT exempt but the taxpayer is allowed to recover the input tax. Main supplies to this type are intra-Community transfers of goods and exports.

2.4 Is it always fully recoverable by all businesses? If not, what are the relevant restrictions?

VAT is not deductible on certain expenses such as:

- Acquisition, leasing and expenses related to the leasing of passenger cars, recreation boats, aircrafts, helicopters and motor bicycles (unless such activities constitute the scope of the company's activity).
- Fuel used in motor vehicles (other than diesel, the VAT on which is deductible by 50% provided certain conditions are met).
- Transport and business travel expenses of the taxpayer and his staff.
- Accommodation, food and drinks.
- Entertainment expenses.

For taxpayers who carry out both taxable and non taxable activities, VAT deduction may be possible either using the *pro rata* method, or, in certain cases, using the effective allocation method.

2.5 Are there any other transaction taxes?

Real Estate Transfer Tax is due upon the acquisition for value of real estate. The acquisition of 75% or more of the equity of a private limited company *Sociedade por Quotas* ("Lda") owning real estate is also liable to Real Estate Transfer Tax.

Real Estate Transfer Tax is levied on the higher of the purchase price of the real property and its fiscal value, at rates that vary depending upon the type of the property as follows:

(i) rural property at 5%;

(ii) urban property/other acquisitions liable to tax at 6.5%; and

(iii) urban property for residential purposes; progressive rates apply with a maximum 6% rate.

2.6 Are there any other indirect taxes of which we should be aware?

Other type of indirect taxes over consumption in the Portuguese legislation include excise duties such as the Tobacco Tax, Tax on Alcohol and Alcoholic Beverages, Tax over Oil and Energy Products and Tax on Motor Vehicles and Boats.

3 Cross-border Payments

3.1 Is any withholding tax imposed on dividends paid by a locally resident company to a non-resident?

According to the Portuguese domestic law, dividends paid to non-resident entities are subject to a 20% withholding tax rate.

This rate can be reduced to 5%, 10% or 15% depending on the relevant Double Tax Treaty applicable.

Additionally, there can also be a withholding tax exemption in case of payments made to non-resident EU entities that fulfil the conditions for the application of the Parent-Subsidiary Directive (Council Directive 90/435/CE as amended by Council Directive 2003/123/CE). Such conditions involve that both the Portuguese subsidiary and its parent company qualify for the Directive, the participation is of at least 10% or with a minimum acquisition value of EUR 20 million and it is held uninterruptedly for at least one year. In case there is a distribution of dividends and tax is withheld prior to the minimum holding period being completed, it is possible to request a refund of the tax withheld once the one year period has ended.

Attention should be drawn to the fact that both the application of Double Tax Treaties or the Parent Subsidiary Directive is subject to the fulfilment of some formal requirements, namely, a tax residence certificate that must be presented in due time before the entity paying the income.

3.2 Would there be any withholding tax on royalties paid by a local company to a non-resident?

Under the Portuguese domestic law, royalties paid to non-resident entities are subject to a 15% withholding tax rate.

As previously mentioned, the Portuguese Tax Treaty network generally follows the OECD Model Convention. Nevertheless, Portuguese Double Tax Treaties usually provide that royalty payments are subject to withholding tax at the reduced rate of 5%, 10% or 12% depending on the relevant Double Tax Treaty applicable.

Pursuant to the Interest & Royalties Directive (Council Directive 2003/49/CE), and provided that some conditions are met, royalties paid to EU non-resident companies or PE's of such companies may be subject to a 10% withholding tax until 30th June 2009 and 5% as from 1st July 2009 up to 30th June 2013. As from 1st July 2013 a withholding tax exemption will apply. Such conditions involve that both the Portuguese subsidiary and its parent company qualify for the Directive, the participation is of at least 25% and it is held uninterruptedly for at least two years. In case there are royalties or interest payments and tax is withheld prior to the minimum holding period being completed it is possible to request a refund of the tax withheld once the two-year period has elapsed.

Attention should also be drawn to the fact that both the application of Double Tax Treaties or the Interest and Royalties Directive is subject to the fulfilment of some formal requirements, namely, a tax residence certificate that must be presented in due time before the entity paying the income.

3.3 Would there be any withholding tax on interest paid by a local company to a non-resident?

Under the Portuguese domestic law, interest paid to non-resident entities is subject to a 20% withholding tax rate.

This rate can be reduced to 10%, 12% or 15% depending on the relevant Double Tax Treaty applicable.

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Pursuant to the Interest & Royalties Directive (Council Directive 2003/49/CE), and provided that some conditions are met, royalties paid to EU non-resident companies or PE's of such companies may be subject to taxation in the exact same terms above referred.

Similarly, both the application of Double Tax Treaties or the Interest & Royalties Directive is subject to the fulfilment of some formal requirements, namely, a tax residence certificate that must be presented in due time before the entity paying the income.

3.4 Would relief for interest so paid be restricted by reference to "thin capitalisation" rules?

Portuguese tax law has thin capitalisation regulations which apply to funding obtained from non-resident related parties, including third party debt secured by non-resident related parties.

The debt equity ratio provided is 2:1 which may however be exceed if proof is presented that funding is at arm's length provided that the funds are not obtained from a company established in a low tax jurisdiction.

The consequence that arises from triggering the thin capitalisation rules is that the cost borne by the Portuguese company will not be deductible for tax purposes.

From 1 January 2006 thin capitalisation rules are not however applicable to funding obtained from EU related parties (following the ECJ Decision on Case C-324/00 - Lankhorst-Hohorst).

3.5 If so, is there a "safe harbour" by reference to which tax relief is assured?

As mentioned above, the debt equity ratio may be exceeded provided that it is demonstrated that the conditions settled in the funding are at arm's length.

3.6 Would any such "thin capitalisation" rules extend to debt advanced by a third party but guaranteed by a parent company?

As mentioned above, thin capitalisation rules apply if debt is secured by a non resident parent company.

3.7 Are there any restrictions on tax relief for interest payments by a local company to a non-resident in addition to any thin capitalisation rules mentioned in questions 3.4-3.6 above?

There are no such restrictions (aside from transfer pricing rules described below, if applicable).

3.8 Does Portugal have transfer pricing rules?

The Portuguese Income Tax code has transfer pricing rules which are in line with the OECD guidelines. Accordingly, commercial transactions which are entered into between related companies should be identical to those which would be contracted between two unrelated companies in similar transactions.

Under these rules, the tax authorities may adjust to arm's length transactions between related parties.

The particular feature of the Portuguese regulations concerns its personal scope of application. Starting with a broad statement under which two companies are related parties whenever one is in a position to exercise directly or indirectly a significant influence in the management of the other, the regulations then provide for an extensive list of situations under which the related party test is considered to be met.

The Portuguese regulation on transfer pricing sets forth the possibility of establishing Advanced Transfer Pricing Agreements which may last up to three years.

4 Tax on Business Operations: General

4.1 What is the headline rate of tax on corporate profits?

Companies with a head office registered in Portugal Mainland or effectively managed from there are considered tax resident and subject to Corporate Income Tax (CIT). Such companies' tax rate depends on their taxable income or on the scheme by which their taxable income is assessed.

Taxable income up to EUR 12,500 is subject to a 12.5% tax rate. The exceeding taxable income is subject to a 25% tax rate.

Resident taxable persons and companies established in Portugal, which are subject to special or reduced CIT rates, are allowed to select this method of two-rate levels.

However companies which (i) through division or other restructuring operations, realise a taxable income of less than EUR 12,500 or (ii) are set up as a result of the transfer of assets produced by individuals, as long as the activity exercised by those companies is substantially identical to that exercised at the individual level, are subject to a 25% tax rate.

Small companies may be taxed in accordance with the simplified method thus being subject to a 20% tax rate. The application of this regime is subject to three conditions: (i) the companies do not elect to be taxed under the general regime; (ii) they had in the previous year a turnover of less than EUR 149,639,37; and (iii) the companies are not required to have certified accounts. However the application of this regime is suspended as from 1st January 2009. Even though companies that were taxed in accordance with this regime before 1st January 2009 may continue to be taxed accordingly, no new applications for the simplified method will be accepted.

For the islands of Madeira and Azores there are also different applicable CIT rates. In Madeira the standard rate is 20% (a rate of 17.5% is applicable to certain activities) and in Azores it is 17.5%.

Entities licensed in the International Business centre of Madeira up to 31st December 2013, which undertake industrial, commercial or shipping activities as well as other services not expressly excluded from the scope of application of this regime, may benefit - provided certain conditions are met (notably the amount of investment made and the creation of a certain number of jobs) - from special CIT tax rates up to 31st December 2020, as follows:

(i) 3% from 2007 to 2009;

(ii) 4% from 2010 to 2012; and

(iii) 5% from 2013 to 2020.

The reduced CIT rates will not be applicable to the whole taxable base. The regime sets forth certain caps to the taxable base which are related to the number of jobs created.

In many municipalities a local surcharge ("Derrama") of up to 1.5% on the taxable profit may accrue to any of the referred tax rates.

4.2 When is that tax generally payable?

Corporate taxpayers must file a tax return and the supporting documents for a tax year by the last working day of May (in case

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the tax year is in accordance with the civil year) or by the last working day of the fifth month following the end of the tax year (when it is not in accordance with the civil year).

Companies must make a prepayment of CIT calculated at 70% (90% for the taxpayers with a turnover exceeding EUR 498,797.90) of the preceding tax year's CIT liability, which must be made in three instalments.

In addition, companies must make a special prepayment, functioning as a minimum tax, calculated as the difference between 1% of the preceding year's turnover and the preceding year's prepayments which cannot be less than EUR 1,000 (EUR 1,125 in Madeira) or more than EUR 70,000. It must be paid either in March or in two equal instalments in March and October of the current year or in the third or tenth month of a taxation period, if the tax is not in line with the calendar year.

4.3 What is the tax base for that tax (profits pursuant to commercial accounts subject to adjustments; other tax base)?

The tax base is generally determined on the basis of the taxpayer's tax financial statements prepared in accordance with accounting rules which as from 1st January 2010 will follow the International Accounting Standards ("IAS").

The reported profit or loss is then adjusted, in accordance with regulations set out in the tax law, to arrive at taxable income.

4.4 If it otherwise differs from the profit shown in commercial accounts, what are the main other differences?

The main difference regarding taxable profits vis-à-vis accounting records refers to deductible costs for tax purposes.

To be deductible for tax purposes, expenses must be indispensible for the purpose of gaining or producing taxable income or for the maintenance of its source and must be duly documented.

Accordingly, certain costs are not considered as tax deductible, such as:

- The Corporate Income Tax (and the applicable surcharge).
- The expenses related to documents issued by taxpayers with an inexistent or invalid tax identification number or issued by taxpayers whose activities are declared to have ceased *ex officio*.
- Any taxes and charges due by third parties which a taxpayer is not required to bear.
- Fines, penalties and charges of a non-contractual character imposed for any corporate taxpayer's infringements, including compensatory interest.
- Booked unsubstantiated allowances and expenses relating to the employees' travel using their own vehicles for the employer's account and not invoiced to clients.
- Fuel-related expenses, unless it is proved that they relate to taxpayer's business vehicles or leased vehicles and are not in an excessive amount.
- Expenses relating to acts forbidden by Portuguese criminal law.
- Interest on subordinated shareholder loans in the amount exceeding the prevailing EURIBOR rate for 12-month loans.
- Non-documented expenses.
- Capital losses in the situations better described in question 5.1 below.

4.5 Are there any tax grouping rules? Do these allow for relief in Portugal for losses of overseas subsidiaries?

Portuguese tax rules concerning group taxation do not provide for a typical consolidation regime. Each of the group entities keeps its own taxable income/loss for the year but then all of these entities' income is pooled into one tax return. The only item of income that is eliminated "intra-group" is dividends distributed within the tax group. The constitution of a tax group is subject to certain conditions:

(i) The group parent company must hold (directly or indirectly) at least 90% of equity ownership and have more than 50% of the voting rights of all the group members' companies. It must be a Portuguese company in the form of *Sociedade Anónima* ("S.A."), *Sociedade por Quotas* ("Lda.") or *Sociedade Comandita por Acções* ("CpA") and cannot be controlled by any other Portuguese company.

(ii) The shareholding must be held for more than one year with reference to the date as from which the group taxation regime starts, except in the case of:
  - entities incorporated by the group parent company; and
  - entities acquired by any entity of the group in a tax neutral reorganisation (in such case, the holding period is carried over to the acquirer).

This waiting period is extended to two years for entities with losses in the 3 years previous to the starting of the group taxation regime.

In concerns specifically to the companies that may be group members, the following requirements must be met:

- all entities must have its registered seat of management as well as the place of effective management in Portugal;
- must be a Portuguese company in the form of S.A., Lda.or CpA;
- all entities must be subject to the Corporate Income; and
- all entities must have the same tax year-end.

Accordingly, foreign subsidiaries of Portuguese companies cannot be part of a Portuguese tax group so it is not possible to relieve losses from overseas subsidiaries.

All Portuguese companies controlled by the group parent company that fulfil the above referred requirements must be included in the tax consolidated group. This means that, contrarily to other jurisdictions, no "cherry picking" is allowed.

The constitution of a group occurs through the filling of a return in the Tax Authorities, to be delivered until the end of the third month of the corresponding year to which this regime applies.

4.6 Is tax imposed at a different rate upon distributed, as opposed to retained, profits?

No it is not.

4.7 What other national taxes (excluding those dealt with in "Transaction Taxes", above) are there - e.g. property taxes, etc.?

No other relevant national taxes exist.

4.8 Are there any local taxes not dealt with in answers to other questions?

Municipal Real Estate Tax has been in force since 1st December 2003 and is levied upon immovable property located within each

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municipality. In a nutshell, there are two types of valuation rules depending on whether the real estate is registered in the cadastre before 1st December 2003 or after that date. Accordingly, the Municipal Real Estate Tax rates range from 0.2% to 0.5% for urban real estate subject to the valuation rules in force as from December 2003; 0.4% to 0.8% for urban real estate not subject to those rules; 0.8% for rural real estate; and 1% for real estate owned by entities located in a low tax jurisdiction.

In case of urban real estate which is empty for more than one year the rates above are doubled. In case of real estate which is both urban and rural the rates above are applied respectively to each part of the property.

5 Capital Gains

5.1 Is there a special set of rules for taxing capital gains and losses?

Taxable capital gains are computed as the excess of sales proceeds (net of selling expenses) over net book value adjusted for tax purposes. Net book value may be adjusted by coefficients set annually by the government if the seller owned the asset for at least two years preceding the sale, except that no adjustment is allowed on the purchase price of financial assets other than investments in real estate properties and financial investments in a company's interest (e.g. shares).

Capital losses resulting from the sale of participations are tax deductible only in the amount of 50%.

However, capital losses are not considered if resulting from the sale of participations held for less than three years and where acquired from: (i) a related company; (ii) a resident of a low tax jurisdiction; or (iii) an entity resident in Portuguese territory and subject to a special taxation regime. This non deductibility of capital losses - unless three years have lapsed - also applies in case of companies who were subject to a corporate change and previous to such change the tax regime applicable to capital gains and losses was different.

Similarly, capital losses deriving from the sale of participations to: (i) a related company; (ii) a resident of a listed tax haven; or (iii) an entity resident in Portuguese territory and subject to a special taxation regime, are also not deductible for tax purposes.

5.2 If so, is the rate of tax imposed upon capital gains different from the rate imposed upon business profits?

No, it is not.

5.3 Is there a participation exemption?

The Portuguese tax law provides an exemption on capital gains, when it results from the sale of participations held for at least one year (prior to their disposal), made by a Portuguese holding company *Sociedade Gestora de Participações Sociais* ("SGPS") or a Portuguese Venture Company *Sociedade de Capital de Risco* ("SCR").

This exemption does not include the capital gains resulting from: (i) participations acquired from a related company; (ii) a resident of a listed tax haven; or (iii) an entity resident in Portuguese territory and subject to a special taxation regime and, additionally, those participations have been held for less than three years or if the selling company results from a corporate change, to which this regime would not apply and provided that between the date of the corporate change and the date of the sale a period of three years has not elapsed.

The financial costs incurred with the acquisition of participations whose capital gains are exempt are not deductible for tax purposes.

5.4 Is there any special relief for reinvestment?

Capital gains arising from the sale of fixed assets and participations (that represents at least 10% of the company's share capital, represents an acquisition value of at least EUR 20,000,000 and have been held for more than one year) are considered in only 50% of the amount, if the taxpayer reinvests the realisation value within a certain period of time (two years following the year of the sale) and under certain conditions, in tangible fixed assets. A proportional relief is due in case of a partial reinvestment. If the reinvestment does not occur (totally or partially) within the two-year period such amount will be taxed with an increase of 15%.

This regime will not be applied if the acquired or sold participation was from an entity resident in a low tax jurisdiction, or from an entity resident in Portuguese territory and subject to a special taxation regime or when the participation was acquired from a related company (except in case of share capital increase).

6 Branch or Subsidiary?

6.1 What taxes (e.g. capital duty) would be imposed upon the formation of a subsidiary?

Capital contributions are subject to Stamp Duty at the 0.4% rate. However, cash contributions are exempt.

Capital contributions made to Portuguese holding companies (SGPS) and venture capital companies (SCR) are also exempt.

A capital duty exemption also applies to the formation of a subsidiary as a result of a merger, division or transfer of assets.

6.2 Are there any other significant taxes or fees that would be incurred by a locally formed subsidiary but not by a branch of a non-resident company?

No, there are not.

6.3 How would the taxable profits of a local branch be determined?

In general, profits of local branches are determined in the same terms as a Portuguese company.

Regarding the attribution of profits to the PE, the Portuguese domestic law follows the absorption or limited force of attraction principle. Accordingly, a foreign PE may be taxed not only for profits attributable to such PE but also by the ones arising from business activities carried on in Portugal of the same or similar kind as those effected through that PE.

Notwithstanding this domestic provision, the tax treaty policy in Portugal is very much in line with the one foreseen in the OECD Model Convention and therefore only in very limited cases it is possible to find the force of attraction principle stated in a Tax Treaty (like the Tax Treaty with India).

Concerning the imputation of costs to the local branch, calculation should be made as if it were a separate and independent legal entity.

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6.4 Would such a branch be subject to a branch profits tax (or other tax limited to branches of non-resident companies)?

No, there is no branch profits tax in Portugal.

6.5 Would a branch benefit from tax treaty provisions, or some of them?

Foreign branches are considered as non resident entities for tax purposes. Accordingly, and in principle, they cannot claim tax treaty benefits as they are not resident also for tax treaty purposes.

Nevertheless and either based on non-discrimination provisions provided in tax treaties or following the ECJ line of reasoning in the Saint-Goban case, they may claim for the benefits stated in tax treaties. However, and as far as we know, there have been no cases decided by the Portuguese courts based on these grounds.

6.6 Would any withholding tax or other tax be imposed as the result of a remittance of profits by the branch?

No, it would not.

7 Anti-avoidance

7.1 How does Portugal address the issue of preventing tax avoidance? For example, is there a general anti-avoidance rule or a disclosure rule imposing a requirement to disclose avoidance schemes in advance of the company's tax return being submitted?

Regarding the prevention of tax avoidance, Portugal has both a General Anti-Avoidance Rule ("GAAR") and also a recently introduced set of regulations which provide for a tax planning disclosure regime.

The GAAR allows the Portuguese tax authorities to disregard one or more transactions to arrive at the final result on a particular transaction. This general "anti-abuse provision" applies where the parties artificially choose a legal form (which is different than the typical form used to achieve the same economical result) aimed solely or primarily at obtaining a reduction or elimination of tax which would otherwise be due. The statute of limitations to apply this specific rule is 3 years.

The tax planning disclosure regime entered into force in May 15th, 2008 setting specific obligations of information, communication and clarification to the tax authorities in tax planning situations. Its aim is to fight abusive tax planning arising from schemes which are primarily or exclusively aimed at obtaining tax advantages.

The obligations set-forth by this regime are further limited to the tax planning schemes or dealings which fall under one of the following situations:

(i) Involve the participation of an entity subject to a specially favourable tax regime, meaning (a) an entity stated in the black list approved by the Minister of Finance, (b) an entity not subject to Personal or Corporate Income Tax or (c) an entity which the effectively paid income tax is equal or lower than 60% of the tax that would be due should it be deemed as resident in Portugal.

(ii) Involve the participation of an entity totally or partially exempt.

(iii) Involve insurance or financial transactions which may give rise to a re-qualification of the income or the change or its beneficiary in particular financial leasing, hybrid instruments, derivatives or contracts of financial instruments.

(iv) Involve the use of tax losses.

Additionally it also includes every transaction which is proposed with a clause of exclusion or limitation of liability of the respective promoter. In this case, the type of tax planning scheme is irrelevant being only required for the application of the regime that the scheme is proposed to the client with a clause in the terms previously referred.

As a rule, the information should be disclosed in a specific form to be presented via the internet within the 20 days following the end of the month in which the tax planning scheme or dealing was first presented.

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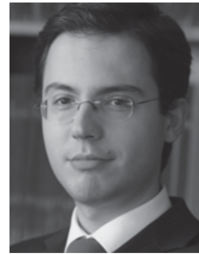
His practice has focused on Domestic, EU Tax Law and International taxation, in particular on M&A's, buy-outs, corporate restructuring, financial operations, real estate investment structuring and transactions. His practice also comprises tax and customs litigation and structuring of operations at International Business Centre of Madeira".
He is the author of several articles on tax matters and a Portuguese correspondent of Foreign Lawyers Forum of American Bar Association.



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His practice has focused in all the areas of tax law such as domestic and international tax law, VAT and custom duties. He also has been focusing his activity in the field of tax litigation where he has been representing several corporations and multinational companies involving litigation on EC Tax issues as well as the application of Double Tax Treaties.

CUATRECASAS, GONÇALVES PEREIRA

Established in Lisbon in 1928, the firm opened an office in Porto in 1989 and in Maputo, Mozambique in 1998. In 2000 the firm merged its professional practice with the Spanish firm Cuatrecasas. In February 2009, the firm changed its name to Cuatrecasas, Gonçalves Pereira; this name was adopted in Portugal, Spain and worldwide. The firm currently has in its Portuguese offices 170 lawyers, 25 of which are partners.

Main areas of practice: corporate, finance and capital markets, banking and insurance, litigation, employment, public law, pharmaceutical law and tax law, an area in which we advise on domestic and international tax planning, transaction structuring involving mergers and acquisitions, buy-outs and multinational group reorganisations, tax planning for individuals, family owned businesses and NGO's, taxation of real estate investments and structuring of financial instruments as well as tax litigation involving either domestic law, European tax law, custom duties and application of Double Tax Treaties.

In 2007 it was considered the Portuguese Tax Firm of the Year by the International Tax Review European Awards.

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