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I ALTERNATIVE FUEL INFRASTRUCTURE

Resolution of the Council of Ministers no. 88/2017

The Resolution nº. 88/2017 of the Council of Ministers emerges from a legislative framework of an European context. The European Parliament and Council Directive 2014/94 / EU of 22 October 2014, transposed by Decree-Law no. 60/2017, of 9 June, deals with the creation of a fuel infrastructure and have established a common framework of measures and requirements necessary for the implementation of that infrastructure in an European level. Its application was then forwarded to national action tables, which each Member State would adopt.

In this context, the National Implementation Framework (QAN) is the instrument which describes and establishes the national objectives for the creation of infrastructures in the field of electricity, compressed natural gas and liquefied natural gas.

According to the legislation under consideration, the QAN should include, inter alia: (i) an assessment of the current situation and future developments of the market for alternative fuels for the transport sector; (ii) the national targets and targets for establishing the infrastructure for the provision of these fuels; (iii) the set of measures required to meet the deadlines for the implementation and application of the QAN.

The resolution is structured in three fundamental and distinct parts: (i) Part A, which deals with the current situation and the different future prospects, is divided into different energy sectors: electricity, natural gas, liquefied petroleum gas, biofuels and hydrogen; (ii) Part B, which sets out the national objectives and targets to be achieved, focusing in particular on the electricity and natural gas sectors; and finally (iii) Part C, which identifies the concrete measures to be adopted in order to achieve those national objectives and targets, by means of a table of correspondence between objectives and measures.

With regard to concrete measures and objectives of greater prominence, electricity appears in the context of the Resolution as the most prominent alternative fuel, since it has a significant number of advantages, namely the reduction of external energy dependence, reduction of pollutant emissions as well as the high possibility of storage. However, there are also some barriers to the development of this alternative fuel, namely those related to its high acquisition cost.

Regarding the Electric Vehicle Parks, it is estimated that between 2011 and 2020, it will increase around 29%, as a result of the measures implemented by the National Plan of



Action for Renewable Energies, approved by the Resolution nº. 20/2013, 10 April, of the Council of Ministers.

Finally, and still as far as electricity is concerned, it is to be noted that in 2020 there is a minimum number of 2394 charging points, which will be the public network. However, this network will be complemented by a set of charging points of Private initiative.

Secondly, the Resolution also refers to the national targets related to natural gas. In relation with this subject, it begins by finding that the majority of national use of natural gas is restricted to the transportation of heavy goods and people.

On the other hand, it is estimated that in 2025 there is a fleet of goods vehicles with about 200 liquefied natural gas ("LNG") vehicles. In addition, since the introduction of natural gas in passenger cars has not been particularly important, an LPG Auto network has been developed as an alternative to gas oil, which currently has 350 filling stations.

As regards road transport, the diploma identifies the advantages typically associated with this alternative fuel, such as reduced costs, reduction of pollutant emissions and noise emissions.

Lastly, with regard to maritime transport, the Resolution states that it will be important to develop at a national level a regulatory framework to enable LNG supply to ships, in particular with regard to the licensing of supply operations, in accordance with various guides and environmental recommendations in an international level. As an illustration, this resolution states that there is currently no Portuguese LNG ship yet. On the other hand, it also considers that it is essential to create an infrastructure for the supply of LNG to ships in the main Portuguese ports and estimates that in 2025 there are five ports in Portugal (Leixões, Lisbon and Sines), one port in Azores and one port in Madeira.

II NATIONAL LEGISLATION AND ADMINISTRATIVE DECISIONS

Energy

Law no. 31/2017 – Official Gazette no. 105/2017, Series I of 2017-05-31

Approves the principles and general rules regarding the organization of public tender procedures for the awarding, by contract, of concessions intended exclusively for the operation of municipal low voltage electricity distribution networks.



Resolution of the Council of Ministers no. 78/2017 – Official Gazette no. 109/2017, Series I of 2017-06-06

Approves the centralization of the purchase of energy in the Shared Services Entity of Public Administration, I. P.

Decree-Law no. 60/2017 – Official Gazette no. 112/2017, Series I of 2017-06-09

Draft decree-law establishing the framework for the implementation of an infrastructure for alternative fuels, transposing Directive 2014/94 / EU.

Notice no. 26/2017 – Official Gazette no. 71/2017, Series I of 2017-04-10

States that the Portuguese Republic has deposited its instrument of ratification of the Energy Charter Treaty and the Protocol of the Energy Charter for Energy Efficiency and Associated Environmental Aspects signed in Lisbon on 17 December 1994.

Statement of Rectification no. 256-A / 2017 – Official Gazette no. 82/2017, 1st Supplement, Series II of 2017-04-27

Proceeds to the rectification of Regulation no. 122/2017 of 10 March and of the Declaration of Rectification no. 250/2017 of 24 April.

Decree-Law no. 46/2017 – Official Gazette no. 85/2017, Series I of 2017-05-03

Amends the economic and financial regime for water resources.

Resolution of the Council of Ministers no. 65/2017 – Official Gazette no. 102/2017, Series I of 2017-05-26

Appoints the chairman and member of the board of the Energy Services Regulation Entity.

Law no. 44/2017 – Official Gazette no. 116/2017, Series I of 2017-06-19

It establishes the principle of non-privatization of the water sector, making the fifth amendment to the Water Law, approved by Law no. 58/2005, of December 29.

Environment

Law no. 37/2017 – Official Gazette no. 107/2017, Series I of 2017-06-02

It makes mandatory the environmental impact assessment in the research and extraction of hydrocarbons operations, and proceeds to the third amendment to Decree-Law no. 151-B / 2013, of October 31, which establishes the legal regime of environmental impact assessment for Public and private projects likely to have significant effects on the environment.



Decree-Law no. 61/2017 – Official Gazette no. 112/2017, Series I of 2017-06-09

It establishes the legal regime for the use of hazardous substances in electrical and electronic equipment, transposing Delegated Directives (EU) 2016/585, 2016/1028 and 2016/1029.

Order no. 137/2017 – Official Gazette no. 73/2017, Series I of 2017-04-12

Determines the approval of the Single Environmental Title (TUA).

Order no. 145/2017 – Official Gazette no. 81/2017, Series I of 2017-04-26

It establishes the rules applicable to road, rail, inland waterway, maritime and air transport of waste in national territory and creates electronic guides for the monitoring of waste (e-GAR), to be issued in the Integrated System of Electronic Waste Registries (SIRER).

Decree-Law no. 47/2017 – Official Gazette no. 90/2017, Series I of 2017-05-10

Amends the system for the assessment and management of ambient air quality, transposing Directive 2015/1480.

Concessions

Order no. 102/2017 – Official Gazette no. 88/2017, Series II of 2017-05-08

Authorizes the Metropolitan of Lisbon, EPE (ML), Reclassified Public Entity, to distribute the costs related to the contract of "Provision of Coordination, Inspection, Quality, Safety and Environmental Management of Works for the Expansion and Reformulation of the Station of Arroios, Green Line, Metropolitan Lisbon, EPE, "- Proc. 009/2017-DLO / ML ".

Regulatory Entities

Law no. 12/2017 – Official Gazette no. 84/2017, Series I of 2017-05-02

First amendment to the framework law of the regulatory authorities and Law no. 67/2013, of August 28, approving it.



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