

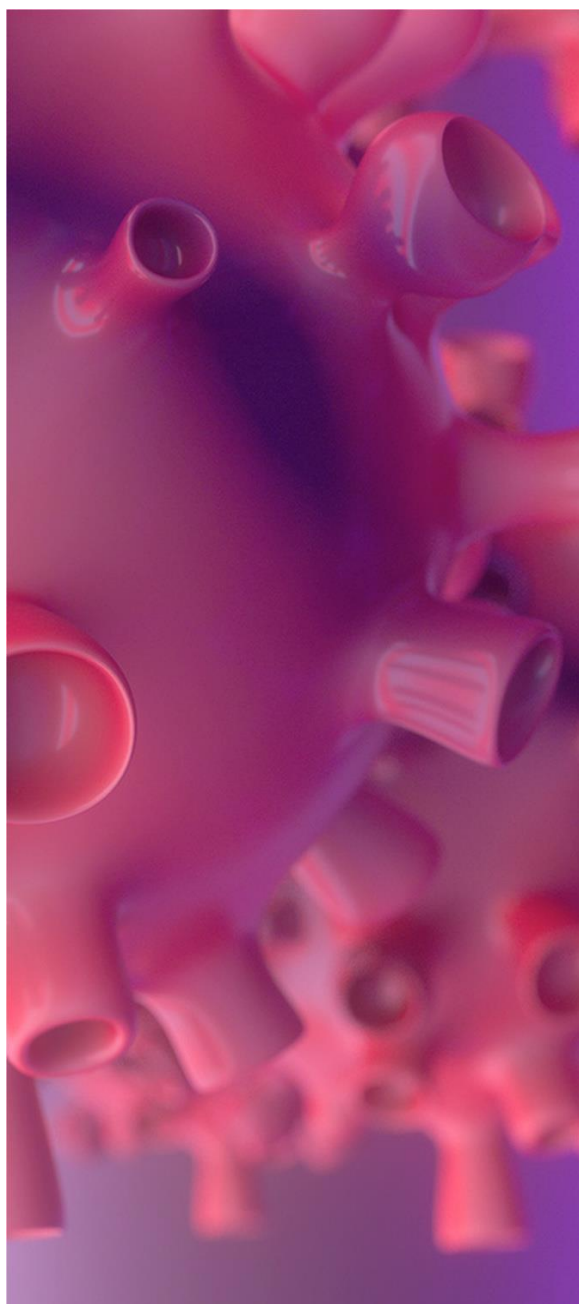
---

# COVID-19 (No. 42)

Legal Flash | Portugal

January 29, 2020

---



- > **State of emergency extended until February 14: measures established in Decree 3-D/2021 of January 29**



---

## State of emergency extended until February 14: measures established in Decree 3-D/2021 of January 29

The epidemiological situation in Portugal continues to worsen, which has led the President of the Republic to declare, for the sixth time since November 2020, a state of emergency throughout the country.

This new period begins at midnight on January 31, 2021, and it will remain in force until 11.59 p.m. on February 14, 2021.

On January 29, 2020, Decree 3-D/2021 was published, establishing the restrictive measures applicable in mainland Portugal (in the autonomous regions, the respective regional governments are responsible for regulations).

The government has decided that all the measures currently in force will remain in effect until February 14, except for those concerning the suspension of teaching activities. You can consult these measures in COVID-19 Legal Flash no. 40, updated on January 24, 2021, and available [here](#).

In addition to the change to the measures concerning teaching activities, some new rules were also established, which are required by the worsening of the situation and which result in (i) the imposition of restrictions on travel to and from mainland Portugal, and (ii) provisions for reinforcing human resources in hospitals and other health units.

### I. Teaching activities

From February 8, 2021, all educational and teaching activities are to resume remotely in public, private, and cooperative educational centers and social and solidarity sector centers, pre-school centers, and primary and secondary schools.

Therapeutic support provided in special education facilities and activities involving students who receive additional learning support may continue to be conducted in person.

Educational centers will also remain open to care for children or other dependents of essential workers such as health professionals, firefighters, armed forces personnel, people who work at homes for the elderly or people with disabilities, and essential public service workers.

### II. Restrictions on international travel

The worldwide emergence of new variants of the SARS-CoV-2 virus, namely the so-called Brazilian and UK variants, which are highly transmissible, has worsened the pandemic in several countries.



According to the most recent laboratory data, a significant number of UK variant cases has already been detected in Portugal, while Brazilian variant cases have also been identified.

To prevent Portugal from contributing to the spread of the UK variant, particularly in other European countries, and, given the close relationship between Portugal and Brazil, to prevent Brazilian variant cases from entering and mixing with the public, strict restrictions have been established on travel between Portugal and other countries.

## Travel outside Portugal

From midnight on January 31, 2021, Portuguese citizens are prohibited from traveling outside mainland Portugal by any means, namely road, rail, air, river or sea.

Only journeys considered essential are permitted, namely:

- a) travel to carry out substantiated professional activities or similar that have an international dimension;
- b) travel to leave the mainland in the case of Portuguese citizens residing in other countries;
- c) travel, in exceptional cases, for reuniting spouses or equivalent, as well as parents and children;
- d) travel in government or armed forces aircraft, vessels or vehicles;
- e) travel involving the transportation of cargo and mail;
- f) travel for humanitarian or medical emergency purposes, as well as for accessing health units in accordance with bilateral health care agreements;
- g) refueling stops for non-commercial purposes;
- h) travel involving the international transport of goods, the transport of crossborder workers and seasonal workers with documentary evidence of employment, and the movement of emergency and rescue vehicles and emergency services;
- i) travel by holders of positions in sovereign bodies in the exercise of their functions; and
- j) travel to the Autonomous Regions of the Azores and Madeira.

## Reinstatement of land and river borders with Spain

Also, from midnight on January 31, controls at Portugal's internal land and river borders are to be reinstated, and the following rules will apply to road, rail and river traffic:

- > **Road traffic** at internal land borders is prohibited, regardless of the type of vehicle, except for international carriage of goods, the transport of crossborder workers and the movement of emergency and rescue vehicles and emergency services.
- > **Rail traffic** between Portugal and Spain is suspended, except for transporting goods.
- > **River transport** between Portugal and Spain is suspended.



The restrictions referred to in the preceding paragraphs will not affect (i) the right of entry of Portuguese citizens and holders of Portuguese residence permits, (ii) the right to leave of citizens residing in another country, or (iii) the inclusion of nonresident foreign citizens in the exceptions identified above for travel outside mainland Portugal.

### **Suspension of flights and mandatory confinement**

Following the new declaration of the state of emergency, if the epidemiological situation so warrants, the government can now decide to (i) suspend flights to and from certain countries, and (ii) impose a mandatory confinement period for passengers coming from certain countries upon their arrival in Portugal.

Anticipating this measure, Order 1125-D/2021 of January 27 decreed that between midnight on January 29, and 11.59 p.m. on February 14, 2021, all commercial and private flights to and from Brazil or the United Kingdom, regardless of the airline, would be suspended in and out of Portuguese airports and aerodromes.

Some exceptions are allowed, but the passengers concerned will have to submit a negative COVID-19 test result, conducted within 72 hours of the flight.

### **III. Reinforcement of human resources in health units**

To tackle the lack of health professionals in health units, due to the pandemic, National Health Service facilities may, in exceptional circumstances and under certain conditions, hire doctors and nurses licensed abroad for a maximum period of one year.



---

## Contact

Cuatrecasas, Gonçalves Pereira & Associados,  
Sociedade de Advogados, SP, RL  
Sociedade profissional de responsabilidade limitada

### Lisbon

Praça Marquês de Pombal, 2 (e 1-8º) | 1250-160 Lisboa | Portugal  
Tel. (351) 21 355 3800 | Fax (351) 21 353 2362  
cuatrecasasportugal@cuatrecasas.com | www.cuatrecasas.com

### Oporto

Avenida da Boavista, 3265 - 5.1 | 4100-137 Porto | Portugal  
Tel. (351) 22 616 6920 | Fax (351) 22 616 6949  
cuatrecasasporto@cuatrecasas.com | www.cuatrecasas.com

---

Cuatrecasas has set up a Coronavirus Task Force, a multidisciplinary team that constantly analyses the situation emerging from the COVID-19 pandemic. For additional information, please contact our Task Force by email [TFcoronavirusPT@cuatrecasas.com](mailto:TFcoronavirusPT@cuatrecasas.com) or through your usual contact at Cuatrecasas. You can read our publications or attend our webinars on our [website](#).

© Cuatrecasas, Gonçalves Pereira & Associados, Sociedade de Advogados, SP, RL 2021.

The total or partial reproduction is forbidden. All rights reserved. This communication is a selection of the news and legislation considered to be relevant on reference topics and it is not intended to be an exhaustive compilation of all the news of the reporting period. The information contained on this page does not constitute legal advice in any field of our professional activity.

### Information about the processing of your personal data

**Data Controller:** Cuatrecasas, Gonçalves Pereira & Associados, Sociedade de Advogados, SP, RL (“Cuatrecasas Portugal”).

**Purposes:** management of the use of the website, of the applications and/or of your relationship with Cuatrecasas Portugal, including the sending of information on legislative news and events promoted by Cuatrecasas Portugal.

**Legitimacy:** the legitimate interest of Cuatrecasas Portugal and/or, where applicable, the consent of the data subject.

**Recipients:** third parties to whom Cuatrecasas Portugal is contractually or legally obliged to communicate data, as well as to companies in its group.

**Rights:** access, rectify, erase, oppose, request the portability of your data and/or restrict its processing, as described in the additional information.

For more detailed information on how we process your data, please go to our [data protection policy](#).

If you have any questions about how we process your data, or if you do not wish to continue receiving communications from Cuatrecasas Portugal, please send a message to the following email address [data.protection.officer@cuatrecasas.com](mailto:data.protection.officer@cuatrecasas.com).