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# Intellectual Property, Media and IT

Legal Flash | Portugal

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**New previous notification mechanism  
regarding the complaints book available  
in electronic format**



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## **I. New previous notification mechanism regarding the complaints book available in electronic format**

Decree-Law no. 9/2020 of March 10, 2020 has introduced a new notification mechanism regarding compliance with the obligation to make the complaints book available in electronic format.

This obligation was first introduced by Decree-Law no. 74/2017, of 21 June, which amended Decree-Law no. 156/2005, of 15 September.

Given the sector's slow progress in adopting the Electronic Complaints Book Platform, which is not well known by all economic operators, the new decree-law guarantees that, in the event of non-compliance, the supervising entity will notify the economic operators before applying administrative sanctions, so that within 90 consecutive days, they will comply as provided in paragraphs 1 to 3 of article 5-B of Decree-Law no. 156/20105, of 15 September.

If they comply with this obligation, the administrative offense proceeding will be duly dismissed, except for providers of essential services, including water, electricity, natural gas, electronic communications, urban solid waste management, which do not benefit from this guarantee.

If administrative offense proceedings are already initiated, the competent supervisory authority must notify the economic operator to comply with the obligations within 45 consecutive days and, if it does so, it must dismiss the administrative offence proceeding.



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