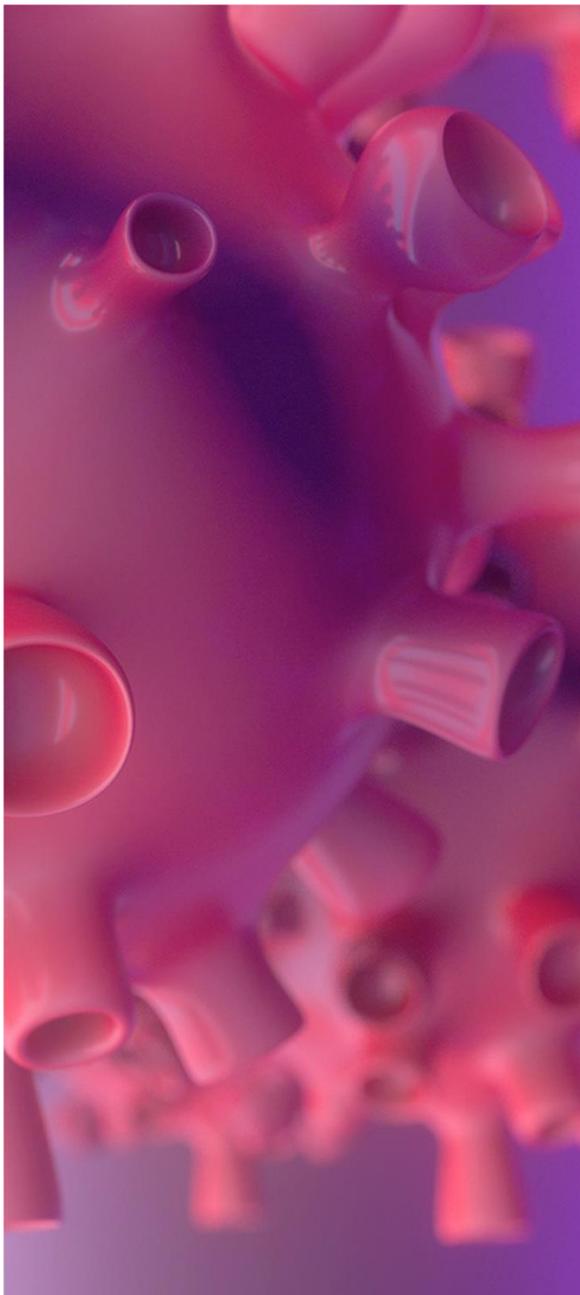

COVID-19 (No. 2)

Legal Flash | Portugal

March 18, 2020



Government approves set of urgent and temporary extraordinary measures in response to the epidemiological situation of the new coronavirus - COVID 19:

- A) Decree-Law 10-A/2020 of March 13
- B) Resolution of the Council of Ministers 10-A/2020 of March 13
- C) Ministerial Order 71/2020, of March 15
- D) Ministerial Order 71-A/2020, of March 15



Government approves set of urgent, temporary extraordinary measures in response to the epidemiological situation of the new coronavirus - COVID 19

The exceptional situation we are experiencing at this time and the proliferation of recorded cases of COVID-19 contagion requires the application of urgent extraordinary measures.

By Order 3298-B/2020 of March 13, issued by the Minister of Internal Affairs and the Minister of Health (published in DR (*Diário da República*) 52/2020, 1st Supplement, Series II of 13.03.2020), a state of alert was declared throughout the country, in force until April 9, 2020, which may be extended depending on how the epidemiological situation develops.

Following this declaration, during the weekend, the government enacted a set of legislation establishing temporary and exceptional measures relating to the epidemiological situation of the new coronavirus - COVID 19: Decree-Law 10-A/2020 and Council of Ministers Resolution 10-A/2020, both of March 13, and Orders-in-Council 71/2020 and 71-A/2020, both of March 15.

Two ministerial orders with exceptional restrictive measures were also published:

- ❖ Order 3298-C/2020 of March 13 (published in DR 52/2020, 1st Supplement, Series II of 13.03.2020), banning disembarkation of and land permits for passengers and crews of cruise ships at Portuguese ports.
- ❖ Order 3299/2020 of March 14 (published in DR 52-A/2020, Series II of 14.03.2020), determining the closure of bars at 21.00 hours every day.

A) DECREE-LAW 10-A/2020 OF MARCH 13

Decree-Law 10-A/2020 of March 13 (DL 10-A/2020) approved measures in the follow areas:

- Exceptional public procurement and expenditure authorization regime
- Exceptional arrangements concerning the composition of the medical committees, human resources management and acquisition of services
- Suspension of educational and non-educational and training activities
- Limitation of access to places frequented by the public
- Process and procedural acts and steps
- Expiry of validity of documents
- Social protection measures for sickness and parenting
- Support measures for self-employed
- Alternative forms of work



I. Exceptional public procurement and expenditure authorization regime

Taking into account that, in the field of health, the priority is to ensure for the NHS health-care providers the possibility of acquiring, as quickly as possible, the equipment, goods and services needed to evaluate suspected cases and treat symptoms and complications associated with COVID-19, and also taking other measures considered urgent and essential, particularly regarding human-resources management, DL 10-A/2020 established an exceptional regime for public procurement and public expenditure, reconciling the procedural swiftness required to defend the State's interests with rigorous transparency in public spending.

This regime applies to entities of the public business sector and of the public administrative sector and, *mutatis mutandis*, to local authorities.

The first measure is reflected in the permission that, to the extent strictly necessary and for reasons of extreme urgency, the execution of public works contracts, of lease agreements or acquisition of movables and of services, regardless of the nature of the awarding entity, may be accomplished by the direct award procedure.

In a direct award of a contract to acquire or lease movables and acquire services, whose contractual price does not exceed €20,000, the award can be made by the body competent to make the decision to contract permitting the invited party to directly present an invoice or equivalent document, waiving the electronic processing and other formalities provided under the Public Procurement Code (CCP).

Additionally, neither the limitations in the choice of invited entities nor the prior consultation procedure apply to the procedures covered by this decree-law.

Awards made under this exceptional regime must be communicated by the contracting entities to the members of the government responsible for the finances area and the respective sector, and publicized on the public procurement portal. However, the contracts, regardless of whether they are in writing, can produce all their effects immediately after the award, and the contracting authority may even make price advances, waiving the requirements established in the CCP.

Contracts concluded under this decree-law may also produce all their effects prior to the visa or declaration of conformity by the Court of Auditors.

The expenditure inherent in these contracts is subject to exceptional, simpler rules, and there is the possibility, in certain circumstances, of the expenses or release of funds being approved by tacit deferral.

Contracting services that carry out studies, reports, projects and consultancy services, as well as any specialized works, no longer require the administrative authorizations called for by law, and this lies within the power of the member of the government responsible for the sector.



II. Exceptional arrangements concerning the composition of medical committees, human resources management and acquisition of services

DL 10-A/2020 also establishes an exceptional regime for hiring human resources, reconciling the required procedural swiftness with defending the State's interests and rigorous transparency in public spending.

Thus, the limits established in the General Civil Service Labor Law (*Lei Geral do Trabalho em Funções Públicas*) are suspended, as well as of the limits established in the Labor Code to perform overtime or additional work at all the bodies, organizations, services and other entities of the Ministry of Health, of the security forces and services, of the National Emergency and Civil Protection Authority (*Autoridade Nacional de Emergência e Proteção Civil*), of the Hospital of the Armed Forces (*Hospital das Forças Armadas* or HFAR), of the Military Chemicals and Pharmaceuticals Laboratory (*Laboratório Militar de Produtos Químicos e Farmacêuticos* or LMPQF), of the Institute of Social Action for the Armed Forces (*Instituto de Ação Social das Forças Armadas, I. P.* or IASFA), of the General Directorate of Rehabilitation and Prison Services (*Direção-Geral de Reinserção e Serviços Prisionais* or DGRSP) and of the National Institute of Legal Medicine and Forensic Sciences (*Instituto Nacional de Medicina Legal e Ciências Forenses, I. P.* or INMLCF).

There is a possibility to hire workers with fixed-term employment relationships for four months, at the bodies, organizations, services and other entities, including the Ministry of Health's public business sector, hiring being authorized by order of the member of the government responsible for the health sector, with powers of delegation, and waiving any formalities.

The same applies, *mutatis mutandis*, to hiring health professionals for the DGRSP, INMLCF, HFAR, LMPQF and IASFA.

These fixed-term contracts may be renewed for similar periods by members of the government responsible for the finance sector and, as appropriate, for the health, national defense and justice sectors.

It is further determined that the health professional's mobility regime provided for in the National Health Service Statute (*Estatuto do Serviço Nacional de Saúde*) will apply to all professionals performing duties at the bodies, organizations, services and other entities, including the Ministry of Health's public business sector.

Hiring retired doctors, under the terms of the exceptional regime enacted by [Decree-Law 89/2010](#) of July 21 is permitted, but without being subject to the age limits provided for in the Retirement Statute (*Estatuto da Aposentação*).

It is determined that the prevention regime be applied to health sector professionals directly involved in the fast, integrated and specialized laboratory diagnostic and response, in situations of cases, outbreaks and other public health emergencies related to the SARS-CoV-2 epidemic that could pose a risk to public health, to ensure rapid and timely response capacity to these situations as well as permanent availability of workers.



Lastly, still in the context of human resources in the health sector, article 5 of Decree-Law 10-A/2020 determines that each Regional Health Administration (*Administração Regional de Saúde, I. P.* or ARS, IP) ensures the creation of at least one medical board (JMAI) for evaluating the disabilities of people per health-center group or local health unit, further determining exceptional rules regarding their composition.

III. Suspension of educational and non-educational and training activities

Under DL 10-A/2020, all educational and non-educational and training activities with students at public, private and co-operative establishments and those of the social and solidarity sector of pre-school, basic, secondary and higher education and at social facilities to support early childhood or disability, as well as the direct or participated management of training centers of the Employment and Professional Training Institute (IEFP) network are suspended between March 16, 2020, and April 9, 2020. The social support activities carried out at occupational activities centers, day centers and free-time activities centers are also suspended during the above period. This measure will be reassessed on April 9, and it may be extended.

As an exception to this rule, an educational establishment in each school group will continue to operate to allow for the children or other dependents of health professionals, of the security and first-aid services, including volunteer firefighters, of the armed forces, of workers essential for public services, and of the management and maintenance of essential infrastructure and other essential services, whose mobilization for the service or readiness prevents their ability to provide assistance to them. The workers in these activities will be mobilized by their employers or public authority.

Without prejudice to the above suspension, the provision of food aid will be maintained for students who are beneficiaries of Echelon A of the school social action and, where necessary, the measures to support the students of the specialized units that were integrated into the learning support centers whose continued presence at the school is considered essential.

In mandatory or certified training, particularly relating to professional access and exercise, classroom training activity may exceptionally be replaced by distance learning, where feasible and where conditions are met for this purpose, if authorized by the competent authority.

This decree-law also bans travel by final-year (or similar) students. The agencies or other organizers of these trips will have to reschedule them, unless otherwise agreed.

IV. Limited access to places frequented by the public

The government also considered it necessary to adopt a set of measures to prevent and contain the spread of infection by the new coronavirus, particularly measures to promote social distancing.

Thus, it has suspended public access to catering or beverage establishments that have spaces for dancing or where dancing is customary.



Regarding other catering or beverage establishments and shops, it was determined that the allocation of spaces accessible to the public will be governed by rules to be defined by ministerial order, which may impose total or partial restrictions on this allocation. These rules were established today by Ministerial Order 71/2020 of March 15, referred to below.

It was also determined that access may be limited to public services and buildings by order of the member of the government responsible for the public administration sector and for the sector to which the service or building belong.

V. Process and procedural acts and steps

Since the constraints caused by the current situation in carrying on judicial and administrative activities are clear to see, DL 10-A/2020 safeguarded these circumstances by establishing a specific regime of just impediment and suspension of process and procedural deadlines whenever the impediment or closure of the premises is determined by decision of a health authority or other public authority.

The declaration issued by a health authority in favor of a procedural subject, party, its representatives or attorneys, confirming the need for a period of their isolation for possible risk of contagion of COVID-19 is considered, for all intents and purposes, grounds for the allegation of just impediment of the performance of procedural acts and proceedings that must be performed in person within the scope of proceedings, procedures, actions and measures that take place in the courts, administrative tribunals and tax courts, arbitral tribunals, public prosecutors, justices of the peace, alternative dispute resolution bodies, notaries, registrars, administrative services and entities, within the scope of administrative offences, respective acts and measures and within the scope of proceedings, acts and measures regulated by the Code of Administrative Procedure, and other administrative law.

The declaration also constitutes grounds for justification of non-attendance at any procedural measure, as well as its postponement, within the scope of the proceedings and processes referred to in the preceding paragraph.

These rules apply, *mutatis mutandis*, to other persons procedurally involved, even if merely accidental.

In the event of closure of the facilities where the proceedings or procedural acts are to take place as mentioned above or of suspension of face-to-face services at these facilities by decision of a public authority based on the likelihood of contagion by COVID-19, the deadline for the proceedings or procedural act in question is considered suspended from the date of the closure or suspension of attendance. The suspension will end when the public authority declares the reopening of the facilities.



This regime applies to citizens, procedural subjects, parties, their representatives or attorneys residing or working in municipalities where the facilities are closed or personal attendance is suspended, even if the procedural acts or measures should be carried out in a different municipality.

VI. Expiry of validity of documents

Considering the possible inability of citizens to renew or obtain documents relevant to the exercise of rights arising from the closure of facilities, this decree-law determines the mandatory acceptance by public authorities of the documents whose validity expires from the date of entry into force of this decree-law (March 14, 2020), or within 15 days immediately before or after.

Citizen cards and certificates issued by the civil registry and identification services, driving licenses, as well as documents and visas for residence in the country, whose validity expires from the date of entry into force of this decree-law are accepted, under the same terms, up to June 30, 2020.

It is further determined that periods for the administration's tacit acceptance of authorizations and licenses requested by individuals are suspended, as are the periods whose expiry leads to the administration's tacit acceptance of authorizations and licenses, even if not requested by individuals, within the scope of environmental impact assessment.

Particularly important for commercial companies, DL 10-A/2020 has also determined that general meetings of commercial companies, associations or co-operatives that are to take place by legal or statutory obligation may be held up to June 30, 2020.

VII. Social protection measures for sickness and parenting

This decree-law also provides for the implementation of social protection measures for sickness and for parenting, to increase the opportunities for social distancing and prophylactic isolation, by ensuring their income or providing care for dependents.

a) Prophylactic isolation

The prophylactic isolation of employees and the self-employed of the general social security regime, for 14 days, caused by situations of serious risk to public health decreed by entities exercising the power of health authority, is treated as sickness. Accordingly, recognition of the right to sick pay does not depend on verification of the guarantee period, the professionalism index and certification of temporary incapacity for work.

The grant of sick pay is not subject to the waiting period, and corresponds to 100% of the reference wage. If the beneficiaries do not have six months with registered wages, the reference wage is defined by $R/(30 \times n)$, where R is the total wages registered since the start of the reference period up to the day before the prophylactic isolation and n is the number of months to which they relate.



b) Sick pay

In situations of illness of employees and of the self-employed of the general social security regime caused by COVID-19, the grant of sick pay is also not subject to the waiting period.

c) Child and grandchild care allowances

The situation arising from care provided in prophylactic isolation during 14 days of a child or other dependent person for whom employees of the general social security regime are responsible, caused by situations of serious risk to public health decreed by entities exercising the power of health authority, will be considered justified absence.

In case of prophylactic isolation of children under the age of 12 or, regardless of age, disability or chronic illness, the grant of the child and grandchild care allowance is not dependent on the guarantee period. If the beneficiaries do not have six months with registered wages, the reference wage is defined by $R/(30 \times n)$, where R is the total wages registered since the start of the reference period up to the day before the prophylactic isolation and n is the number of months to which they relate.

The number of days of allocation of the child or grandchild care allowance does not count towards the calculation of the maximum allocation period in each calendar year.

d) Worker absences

Other than in the periods of teaching breaks (school holidays), absences from work caused by urgent assistance to a child or other dependents under the age of 12 or, regardless of age, disability or chronic illness, resulting from the suspension of classroom educational and non-educational activities at a school establishment or social-support facility for early childhood or disability, are considered justified, without losing their rights as regards remuneration, when determined:

- a) by a health authority;
- b) by the government.

For these purposes, workers must notify their absence, under the terms of article 253 of the Labor Code.

e) Exceptional family support for employees

In the event of provision of family care in the cases provided in paragraph d) above, employees are entitled to receive exceptional monthly or proportional support corresponding to two-thirds of their base wage, paid in equal parts by the employer and by social security, with a minimum limit corresponding to a guaranteed monthly minimum wage (RMMG) and a maximum limit corresponding to three RMMGs.

This support will be granted automatically on application by the employer, provided there are no other ways to provide the activity, such as teleworking. The part payable by social security is delivered to the employer, which will pay the whole amount of the support to the worker.



Except for cases where the employer is of a public nature (in which the support is fully covered by the employer), the support is subject to the worker's contribution and 50% of the social contribution of the employer, which must be subject to a declaration of autonomous remuneration (a rule also applicable to state-owned enterprises).

This support may not be received simultaneously by both parents and will only be received once, regardless of the number of children or dependents in their care.

f) Exceptional family support for the self-employed

In the event of provision of family care in the cases provided in paragraph d) above, the self-employed persons subject to compliance with the contribution obligation for at least 3 consecutive months during the past 12 months that cannot continue their activity are entitled to an exceptional monthly or proportional support granted automatically after application by the self-employed, provided there are no other ways of providing the activity, such as by teleworking.

The amount of support will correspond to one-third of the contributory base calculated on a monthly basis for the first quarter of 2020, with a minimum limit of 1 Social Support Index (IAS) and a maximum limit of 2 1/2 IAS. The support must be included in the quarterly income statement, and is subject to the corresponding social contribution.

This support may not be received simultaneously by both parents and will only be received once, regardless of the number of children or dependents in their care.

The rules identified in this Chapter VII will also apply, *mutatis mutandis*, to employees of the convergent social protection regime.

VIII. Support measures for the self-employed

The following self-employed support measures are also implemented:

a) Extraordinary support for the reduced economic activity of the self-employed

In the event of a proven situation of total stoppage of their activity or of the activity of the respective sector, workers covered exclusively by the self-employed workers regime that are not pensioners, subject to compliance with the contribution obligation for at least 3 consecutive months during the past 12 months will, during the period of application of this measure, be entitled to financial support with a duration of one month, renewable monthly, up to a maximum of six months, corresponding to the amount of the remuneration registered as the basis of calculation of the contribution, up to the limit of the amount of the IAS, paid from the month following the month the application is submitted.

The total stoppage of their activity or of the activity of the respective sector will be attested by a declaration of the self-employed worker, under oath, or of the certified accountant in the case of self-employed workers under the organized accounting regime.



As long as payment of the extraordinary support is maintained, the self-employed worker maintains the obligation of the quarterly declaration, when subject to this obligation.

This support cannot be in addition to the support already described in Chapter VII - Social protection measures for sickness and for parenting.

b) Deferral of the payment of contributions

Self-employed workers covered by the financial support referred to in the preceding paragraph are entitled to defer the payment of contributions due in the months that the extraordinary financial support is being paid.

c) Deferred payment of contributions

Payment of contributions due during the deferral period will be made from the second month following the termination of the support and can be made over a maximum period of 12 months in equal monthly instalments. In this case, the provisions of article 8 of Decree-Law 213/2012 of September 25, on the conditions of deferred payment of the amount of contributions, will also apply.

IX. Alternative forms of work

During the time this decree-law is in force, the subordinated teleworking provision regime may be determined unilaterally by the employer or requested by the worker, with no need for the agreement of the parties, provided it is compatible with the duties performed, with the exception of the essential services workers (that is, health professionals, security forces and services, and first-aid services, including volunteer firefighters, the armed forces, employees of essential public services, essential infrastructure management and maintenance, and other essential services).

Entry into force

DL 10-A/2020 entered into force on the day following its publication, that is, March 14, 2020, but takes effect on the day of its enactment (March 13, 2020), except:

- a) the provisions relating to reasonable impediment, justification of absences, postponement of proceedings and procedural steps, closure of facilities and acceptance of expired documents, which took effect on March 9, 2020; and
- b) matters relating to social protection measures for sickness and for parenting, which took effect on March 3, 2020.

B) COUNCIL OF MINISTERS RESOLUTION 10-A/2020 OF MARCH 13

Also on March 13, the Council of Ministers Resolution 10-A/2020 was published, approving a number of measures for citizens, businesses, public and private entities, and professionals related to the



epidemiological infection by SARS-CoV-2 and the COVID-19 disease. This resolution came into force on the day of its enactment.

The approved measures are mainly intended to promote the reduction and mitigation of the economic impact arising from the epidemic outbreak and can be structured into four categories:

- Company support measures
- Measures to support the National Health System (NHS)
- Measures to support citizens
- Environment support measures.

I. Company support measures

- ❖ Payment of the incentives should occur as soon as possible after the request for payment submitted by companies and may be made as advances, which are later settled on the determination of the incentive payable by the intermediate body/paying agency without any formalities for the beneficiaries.
- ❖ For companies with downturns in turnover or bookings or orders greater than 20% in the two months prior to submitting the application to alter the repayment plan compared to the same period in the previous year, the deferral for a period of 12 months of instalments falling due up to September 30, 2020, relating to reimbursable subsidies granted within the scope of the incentives systems of the National Strategic Reference Framework or of the Portugal 2020 without interest charges or other penalties for the beneficiary companies, under article 30-B.2(e) of Ministerial Order 57-A/2015 of February 27, as amended (specific Regulation in the field of Competitiveness and Internationalization).
- ❖ Proven expenses incurred by beneficiaries in initiatives or actions cancelled or postponed due to the outbreak of COVID-19 are eligible for reimbursement (e.g., in projects approved by Portugal 2020 and other operational program, as well as by *Instituto do Vinho e da Vinha* or IP).
- ❖ Within the scope of Portugal 2020, when the contracted objectives are being evaluated, the negative impacts arising from the new coronavirus that lead to insufficient implementation of actions or meeting of goals can be considered force majeure not attributable to the beneficiaries.
- ❖ The operationalization, monitoring and evaluation of a possible increase of the credit line of €200 million, as well as the coordination of the Working Group on the Monitoring and Evaluation of the Conditions of Supply of Goods in the Agrifood and Retail Sectors by Virtue of the Market Dynamics Determined by COVID-19, will be up to the Minister of Economy, adopting the measures necessary to maintain normal supply conditions.
- ❖ In turn, it will be up to the Minister of Finance to determine, with regard to export credit insurance with State guarantees, the following increases:



- a. From €100 million to €200 million for the metallurgical, mechanical engineering and molds sectors.
 - b. From €100 million to €200 million for bond insurance for works abroad; other supplies.
 - c. From €250 million to €300 million for the ceiling of the short-term export credit insurance line.
- ❖ The offices of IAPMEI, Tourism of Portugal and AICEP will be reinforced to provide clarification on the impact of COVID-19.

II. Measures to support the National Health System (NHS)

- ❖ It will be up to the Minister of National Defense to ensure that the Armed Forces Hospital (*Hospital das Forças Armadas*) and other units of the armed forces and the Military Chemical and Pharmaceutical Laboratory (*Laboratório Militar de Produtos Químicos e Farmacêuticos*) respond promptly to the needs of the NHS.
- ❖ The Minister of Internal Affairs will:
- a. create a special device to reinforce the operational response capacity of the firefighter services in first-aid and patient transport situations;
 - b. create a national reserve of medical emergency personal protective equipment for the firefighter services;
 - c. determine that the National Civil Protection Commission (*Comissão Nacional de Proteção Civil*) is the focal point for the collection of data from the different governmental areas and for communicating relevant information to the public.

III. Measures to support citizens

- ❖ It will be up to the Minister of Public Administration to adopt the following measures in the matter of citizens and businesses attendance services (including consular services):
- a. Reinforce the provision of digital services and strengthen the infrastructure supporting these services.
 - b. Reinforce the citizen's and companies' contact centers to ensure centralized response in support of the use of digital services, particularly liaison with the areas of justice, employment and social security, finance, internal administration and planning.
 - c. Adopt a mechanism for the centralization of information on attendance points that are open and closed via the e-Portugal portal.



- d. Monitor the response to in-person attendance for a coordinated action decision.
 - e. Implement a communication campaign to promote access to electronic identification as a means of access to digital public services.
 - f. Strengthen communication with local authorities, with regard to municipal management of citizens' shops and citizens' spaces.
- ❖ The Minister of Labor, Solidarity and Social Security will be responsible for the following:
- a. Promote extraordinary support to the maintenance of employment contracts at companies in a crisis situation, with entitlement to remuneration similar to the simplified lay-off regime, in the event of suspension of activity related to the outbreak of COVID-19 and in the event of interruption of the global supply chains or abrupt, sharp decrease of sales by 40%, with reference to the same three-month period of the previous year. This measure depends on a number of requirements and limitations set out in the Resolution of the Council of Ministers under appraisal.
 - b. Create extraordinary support for vocational training, amounting to 50% of the worker's pay up to the guaranteed minimum wage (RMMG), plus the cost of training, for the situation of workers having no occupation in productive activities for considerable periods, who have a tie with companies whose business has been seriously affected by COVID-19.
 - c. Create an extraordinary financial incentive to ensure the normalization of the business and that aims to support companies that, having been closed by the health authority or have been covered by the support referred to in paragraph 10 (citizens and businesses attendance), no longer constrained in their working capacity, require support in the first phase of the normalization, to prevent the risk of unemployment and for the maintenance of jobs, which must meet certain characteristics.
 - d. Adopt measures to safeguard the social protection of trainees and trainers during vocational training courses promoted by IEFP or entities having a protocol with or financed by this, as well as the beneficiaries occupied in active employment policies who are prevented from attending training courses or activities provided for in the respective projects due to closure of the facilities for prophylactic isolation or infected by COVID-19.
 - e. Promote, within the contributory scope, an exceptional temporary regime of exemption from payment of social security contributions by employers and the self-employed who are employers, to be granted in accordance with certain criteria.
 - f. Promote volunteering actions to ensure essential functions that cannot otherwise be guaranteed.



- g. Adopt measures to safeguard the social protection of trainees and trainers during vocational training courses promoted by other entities that carry out training, particularly in the area of disabilities, co-financed by Portugal 2020 in the field of Social Inclusion and Employment, as well as the beneficiaries occupied in active employment policies who are prevented from attending training courses or activities provided for in the respective projects due to closure of the facilities for prophylactic isolation or infected by COVID-19.

IV. Environment support measures

Relating to waste management in areas with infected patients, the Minister for Environment and Climatic Action will prepare and disclose specific recommendations for the packaging of this waste, support local authorities in creating special arrangements for its collection and evaluate the appropriate final destination for the waste produced.

C) MINISTERIAL ORDER 71/2020 OF MARCH 15 (amended by Amendment Declaration 11-A/2020, published in DR 52-A/2020, 1st Supplement, Series I of 15.03.2020)

Also today, March 15, Ministerial Order 71/2020 was published, establishing restrictions on access to and allocation of spaces in commercial establishments and in catering or beverage establishments, regulating article 12.2 of DL 10-A/2020, as follows:

a) Restrictions on access to commercial spaces

The allocation of spaces accessible to the public of retail trade establishments, shopping malls and commercial complexes must observe the maximum occupation rule of 0.04 persons per square meter of area, "area" being understood as the area for the public, including collective use or circulation areas, except for areas reserved for vehicle parking.

The limits indicated do not include employees and service providers who are performing duties in the areas in question, and do not apply to wholesale commercial establishments.

b) Restrictions on access to catering and beverage establishments

The allocation of spaces accessible to the public in catering and beverage establishments must be limited to one-third of their capacity.

c) Management and monitoring duties

Managers, directors and owners of the spaces and establishments referred to in this ministerial order must make every effort to ensure balanced management of public access, in compliance with the



above, as well as to monitor refusals of access by the public, to avoid to the extent possible, a concentration of people at the entrance of the spaces or establishments.

The solutions described above may be reviewed in the event of modification of the conditions determining the respective provision.

This Ministerial Order came into force on the day of its publication, March 15, 2020, with immediate effect (Amendment Declaration 11-A/2020, published in DR 52-A/2020, 1st Supplement, Series I of 15.03.2020).

D) MINISTERIAL ORDER 71-A/2020 OF MARCH 15

The regulation of part of the measures approved by Resolution of the Council of Ministers 10-A/2020 of March 13, through the publication of this Ministerial Order 71-A/2020, which you can consult [here](#).

This order defines and regulates the terms and conditions for the allocation of immediate, temporary and transitional support for workers and employers affected by the COVID-19 virus outbreak, with a view to maintain jobs and mitigate business crisis situations.

In this sense, it provides four extraordinary measures of immediate support to workers and companies, namely:

- Extraordinary support for the maintenance of employment contracts in a company, in a situation of business crisis, with or without training;
- Creation of an extraordinary training plan;
- Temporary exemption from the payment of social security contributions, borne by the employer; and
- Extraordinary financial incentive to support the normalization of the company's activity.



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