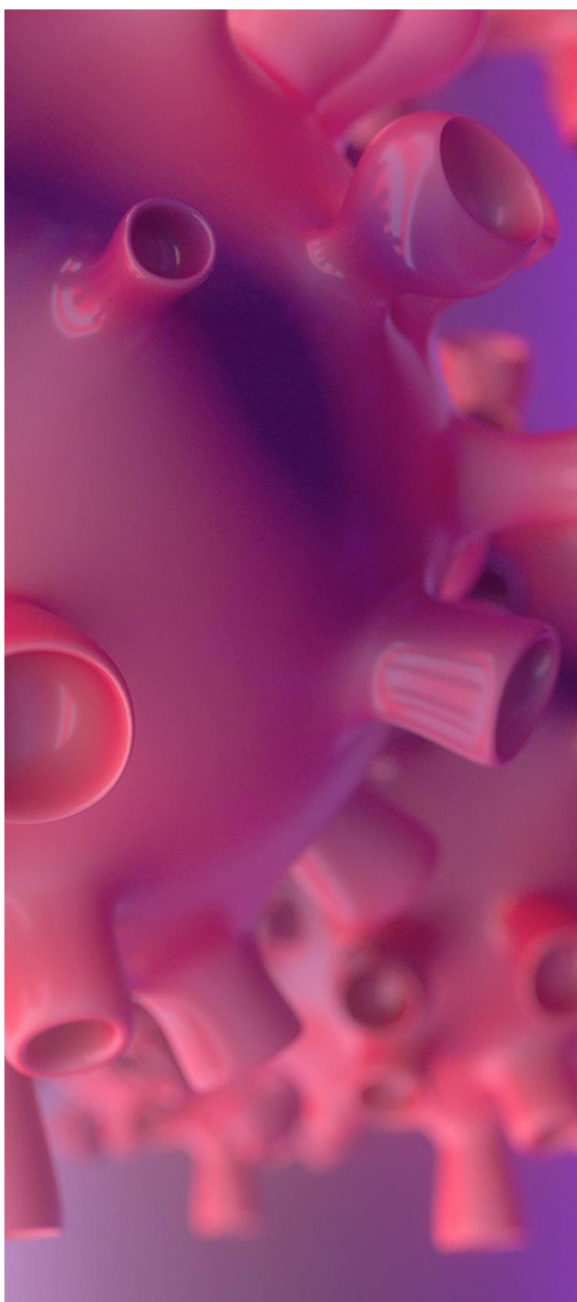

COVID-19 (No. 14)

Legal Flash | Portugal

April 20, 2020



- > **Presidential Decree 20-A/2020, of April 17, extending the state of emergency**
- > **Decree 2-C/2020, of April 17, implementing the presidential decree extending the state of emergency**



Second extension of the state of emergency - Presidential Decree 20-A/2020, of April 17

Portugal's state of emergency has been extended for a second time for 15 days by Presidential Decree 20-A/2020, of April 17. The second extension has been in place since 0:00 on April 18 and is now scheduled to end on May 2 at 23:59.

This extension has been made on the same grounds as the first one, essentially aiming to stop the spread of the virus through a general lockdown and social distancing measures.

Although the measures adopted have progressively been effective in containing the transmission of the disease, and the daily percentages of new cases, hospital admissions and deaths have dropped, the Portuguese president believes it is essential to extend the state of emergency.

For the first time, the preamble to the presidential decree provides the possibility of a gradual, progressive and staged future reopening of services, businesses and establishments, with opening hours adapted to each sector, number of employees and size or location of the commercial establishment, all through proper monitoring.

However, the terms of this second extension are largely the same as the first one, with the scope and extent of the restrictions on free movement and economic restrictions practically unchanged.

Under certain time-dependent conditions, company works councils, trade unions and employer associations regain the right to be involved in preparing employment legislation. In addition, the decree allows the celebration of International Workers' Day but observing the public health restrictions.

Measures that apply in the second extension - Decree 2-C/2020, of April 17

The Government has approved Decree 2-C/2020, of April 17, to implement the presidential decree.

The Government's priority continues to be preventing the infection, containing the pandemic and ensuring the safety of Portuguese citizens, and it has emphasized that people must observe the lockdown and social distancing, and movement must continue to be the strict minimum.



Therefore, the previously approved restrictions remain in place, with a few adjustments required to apply the presidential decree, specifically the celebration of International Workers' Day and the special measures for the town of Ovar after the *cordon sanitaire* has been lifted.

MEASURES APPLICABLE TO PEOPLE

All the previously approved measures remain in place, with three exceptions:

- The *cordon sanitaire* of the town of Ovar has been lifted, but restrictions on free movement on public roads continue in force.
- The list of reasons justifying movement include participation in official activities to celebrate International Workers' Day but observing the recommendations of health care authorities, particularly social distancing rules. Trade union authorities must coordinate with the security forces the organization and attendance to these celebrations.
- There are no additional special measures for people in prison, since those taken in the first extension are believed to be sufficient.

MEASURES APPLICABLE TO ECONOMIC ACTIVITIES

In addition to the previous measures, three new ones have been approved:

- Economic activities in the town of Ovar: health and safety measures have been imposed on industrial, commercial and service establishments in Ovar that have been allowed to continue operating during the state of emergency.
- Wholesale trade: throughout the second extension of the state of emergency, wholesale food distributors will be able to sell their products directly to the public as retailers.
- Paper complaint forms: during the state of emergency, the following retailers' obligations are suspended:
 - a. To immediately provide users and consumers with paper complaint forms free of charge; and
 - b. To observe the deadline for sending the complaint form to the competent authorities.

EMPLOYMENT MEASURES

For the second extension of the state of emergency, the Government has lifted the obligation to publish forthcoming legislation in the Work and Employment Gazette (*Boletim do Trabalho e Emprego*), since that procedure could delay the entry into force of urgent legislative measures to contain COVID-19 or mitigate its effects.



Instead, the Government will encourage direct online consultation with stakeholders in the 24 hours before the measures are enacted.

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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 taskforce by email TFcoronavirusPT@cuatrecasas.com or through your usual contact at Cuatrecasas. You can read our publications or attend our webinars on our [website](#).

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