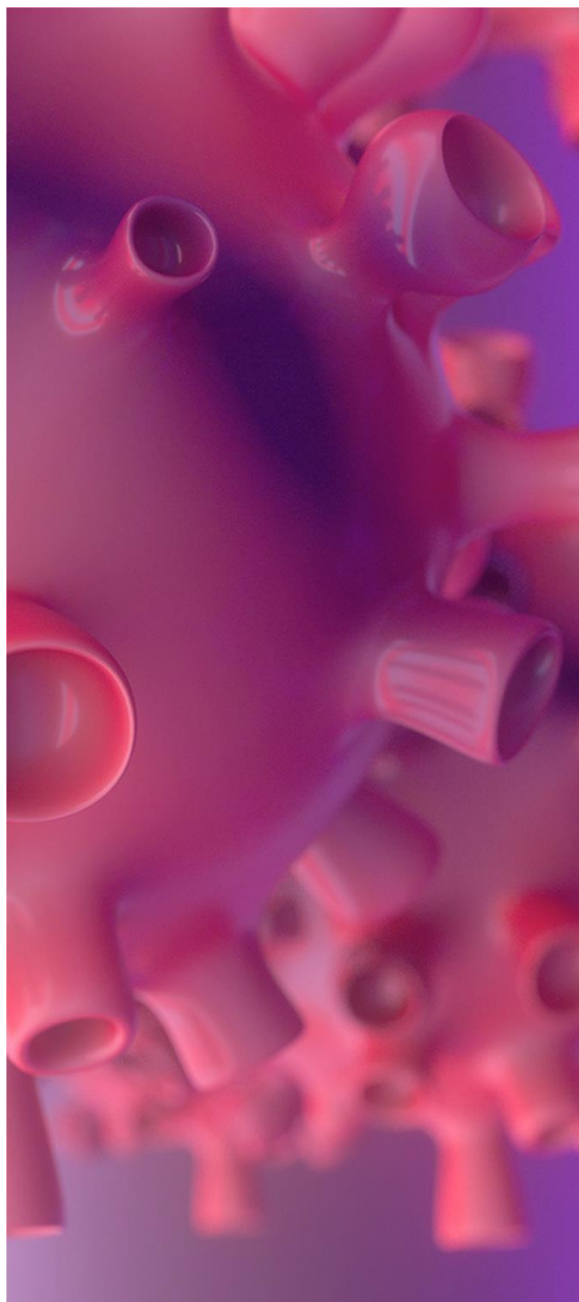

COVID-19 (No. 38)

Legal Flash | Portugal

December 7, 2020



- **Second renewal of the state of emergency and the measures that will apply over Christmas and New Year - Decree 11/2020 of December 6**



Second renewal of the state of emergency and the measures that will apply over Christmas and New Year - Decree 11/2020 of December 6

Data on the epidemiological development of COVID-19 in Portugal indicate that approximately two weeks after the declaration of the state of emergency, on November 9, there was a reduction in the rate of transmission and in the growth rate of the numbers of new infections, which the authorities attribute to the measures adopted from that time.

However, the numbers of infected people and deaths are still very high, which means the National Health Service (SNS) is still under pressure. Consequently, it is not yet possible to ease the restrictive measures, as the situation could worsen.

Consequently, the President of the Republic has renewed the declaration of the state of emergency for a **third period**, which will last between midnight on December 9 and 11:59 p.m. on December 23, 2020, covering the whole of Portuguese territory.

In the decree to renew the declaration of the state of emergency, the President indicated that the state of emergency will probably be renewed again between December 24, 2020, and January 7, 2021, enabling the Portuguese Government to announce what the measures for the festive season are likely to be.

In effect, taking the approaching Christmas and New Year season into account, the government has announced the measures that will apply during the third period of the state of emergency between December 9 and 23, 2020, and the restrictive measures that will likely apply in a potential fourth state of emergency period between December 24, 2020, and January 7, 2021, which will include the special measures that will apply at Christmas and New Year.

MEASURES THAT WILL APPLY BETWEEN DECEMBER 9 AND 23, 2020

In Decree 11/2020 of December 6, the government has set out the restrictive measures that will apply to mainland Portugal during the third period of the state of emergency between December 9 and 23, 2020.

The government has kept all the measures previously approved (except those implemented during the bank holiday weekends of December 1 and 8) that applied to all of mainland Portugal or to different areas according to levels of epidemiological risk, which we explained in detail in our Legal Flash no. 36, updated on November 25, which you can read [here](#).

As the epidemiological situation continues to differ throughout the country, which justifies measures to be adapted according to the specific situation of each municipality, the government is



still dividing municipalities in mainland Portugal into four different groups, depending on the epidemiological risk levels (moderate, high, very high, and extreme), prescribing different measures for each group of municipalities.

However, the lists of municipalities in each group have been updated based on the developments recorded in each municipality over the past 15 days, and are now as follows:

Moderate-risk municipalities: Abrantes, Albufeira, Alcútem, Aljezur, Aljustrel, Almodôvar, Alpiarça, Alvaiázere, Alvito, Avis, Batalha, Beja, Benavente, Bombarral, Borba, Cadaval, Caldas da Rainha, Campo Maior, Carraceda de Ansiães, Castanheira de Pêra, Castro Marim, Castro Verde, Constância, Coruche, Estremoz, Ferreira do Alentejo, Ferreira do Zêzere, Figueiró dos Vinhos, Fornos de Algodres, Góis, Idanha-a-Nova, Loulé, Lourinhã, Mangualde, Moimenta da Beira, Monforte, Mora, Moura, Nazaré, Óbidos, Olhão, Oliveira de Frades, Ourique, Paredes de Coura, Pedrógão Grande, Ponte de Sor, Portel, Porto de Mós, Proença-a-Nova, Redondo, Ribera de Pena, Salvaterra de Magos, Santa Comba Dão, Santiago do Cacém, São Brás de Alportel, São João da Pesqueira, Sernancelhe, Sertã, Silves, Sousel, Tábua, Tabuaço, Tavira, Tondela, Vendas Novas, Viana do Alentejo, Vidigueira, Vila de Rei, Vila Flor, Vila Nova da Barquinha, Vila Real de Santo António, Vila Velha de Ródão, and Vila Viçosa.

High-risk municipalities: Alcácer do Sal, Alcobaça, Alcochete, Alenquer, Almeida, Almeirim, Alter do Chão, Amadora, Arganil, Arraiolos, Arronches, Arruda dos Vinhos, Barrancos, Carregal do Sal, Cascais, Castelo de Vide, Castro Daire, Celorico da Beira, Coimbra, Elvas, Entroncamento, Évora, Faro, Figueira de Castelo Rodrigo, Fronteira, Fundão, Golegã, Grândola, Lagoa, Lagos, Leiria, Lousã, Mação, Mafra, Marinha Grande, Mealhada, Mêda, Melgaço, Mértola, Mesão Frio, Mira, Mogadouro, Moita, Monção, Monchique, Montalegre, Montemor-o-Novo, Montemor-o-Velho, Montijo, Nelas, Odivelas, Oeiras, Oleiros, Ourém, Palmela, Penalva do Castelo, Penamacor, Penedono, Penela, Peniche, Peso da Régua, Pinhel, Pombal, Portimão, Odemira, Reguengos de Monsaraz, Resende, Sabrosa, Santa Marta de Penaguião, Santarém, São Pedro do Sul, Seixal, Sesimbra, Setúbal, Sever do Vouga, Sines, Sintra, Sobral de Monte Agraço, Terras de Bouro, Tomar, Torres Novas, Trancoso, Vagos, Vila do Bispo, Vila Franca de Xira, Vila Nova de Cerveira, Vila Nova de Foz Côa, Vila Nova de Poiares, Vinhais, Viseu, and Vouzela.

Very high-risk municipalities: Águeda, Aguiar da Beira, Alandroal, Albergaria-a-Velha, Alcanena, Alfândega da Fé, Alijó, Almada, Amarante, Amares, Anadia, Ansião, Arcos de Valdevez, Arouca, Aveiro, Azambuja, Baião, Barreiro, Boticas, Bragança, Caminha, Cantanhede, Cartaxo, Castelo Branco, Castelo de Paiva, Celorico de Basto, Chamusca, Cinfães, Condeixa-a-Nova, Covilhã, Crato, Cuba, Estarreja, Figueira da Foz, Gondomar, Gouveia, Guarda, Ílhavo, Lamego, Lisboa, Loures, Maia, Manteigas, Marco de Canaveses, Matosinhos, Miranda do Douro, Mirandela, Mortágua, Mourão, Murça, Murtosa, Oliveira de Azeméis, Oliveira do Bairro, Ovar, Pampilhosa da Serra, Penacova, Ponte da Barca, Ponte de Lima, Porto, Rio Maior, Sabugal, Sardoal, Sátão, Seia, Serpa, Soure, Tarouca, Torre



de Moncorvo, Torres Vedras, Vale de Cambra, Valongo, Viana do Castelo, Vila Nova de Gaia, Vila Nova de Paiva, Vila Real, Vila Verde, and Vimioso.

Extreme-risk municipalities: Armamar, Barcelos, Belmonte, Braga, Cabeceiras de Basto, Chaves, Espinho, Esposende, Fafe, Felgueiras, Freixo de Espada à Cinta, Gavião, Guimarães, Lousada, Macedo de Cavaleiros, Marvão, Miranda do Corvo, Mondim de Basto, Nisa, Paços de Ferreira, Paredes, Penafiel, Portalegre, Póvoa de Lanhoso, Póvoa de Varzim, Santa Maria da Feira, Santo Tirso, São João da Madeira, Trofa, Valença, Valpaços, Vieira do Minho, Vila do Conde, Vila Nova de Famalicão, and Vizela.

MEASURES THAT WILL APPLY IN A POTENTIAL FOURTH STATE OF EMERGENCY PERIOD, PARTICULARLY OVER CHRISTMAS AND NEW YEAR

As explained, as the declaration of a state of emergency is expected to be renewed for a fourth period between December 24, 2020, and January 7, 2021, the government has already announced, in Decree 11/2020 of December 6, that the measures implemented during the third period will remain in effect until January 7, in addition to specific measures for Christmas and New Year.

However, the effective entry into force of those measures depends on how the epidemiological situation progresses (the situation is scheduled to be reassessed on December 18) and on whether the declaration of a state of emergency is renewed.

Christmas period, December 23 to 26, 2020

Measures that apply to people

General duty to stay at home: the general duty to stay at home will not apply to any municipality on mainland Portugal from December 23 to 26, 2020 (inclusive).

Curfew: the curfew for high, very high and extreme-risk municipalities will be significantly reduced between December 23 and 26. Therefore:

- a) On December 23, 2020, the curfew will not apply between 11 p.m. and 5 a.m. the next day for people who are traveling.
- b) On December 24 and 25, 2020, the curfew will only come into effect between 2 a.m. and 5 a.m. the next day.
- c) On December 26, 2020 (Saturday), the curfew will start at 11 p.m. rather than 1 p.m.



Measures that apply to restaurants and cultural facilities

Restaurants: on December 24 and 25, all restaurants and similar establishments may stay open until 1 a.m., with new admissions allowed up until midnight. They may also prepare and serve takeaway food, which must be collected by 1 a.m. On December 26, restaurants in very high and extreme-risk municipalities may remain open to diners until 3:30 p.m.

Cultural facilities: on December 24 and 25, cultural facilities will not be required to close between 8 p.m. and 11 p.m.

New Year period, from December 31, 2020, to January 4, 2021

Measures that apply to people

General duty to stay at home: the general duty to stay at home will not apply to high, very high and extreme-risk municipalities between 5 a.m. on December 31, 2020, and 2 a.m. on January 1, 2021.

Curfew: the curfew for high, very high and extreme-risk municipalities will not apply between 5 a.m. on December 31, 2020, and 2 a.m. on January 1, 2021.

Ban on traveling between municipalities: individuals are not permitted to travel outside the municipality where they live between midnight on December 31, 2020, and 5 a.m. on January 4, 2021, apart from in the exceptions provided for the same situation over the bank holiday weekends on December 1 and 8, which we explained in Legal Flash no. 36 (updated on November 25), which can be found [here](#).

Parties and celebrations: between December 31, 2020, and January 1, 2021, non-religious parties and celebrations that are either public or open to the public are prohibited.

Measures that apply to the restaurant industry

On December 31, restaurants and similar establishments may stay open until 1 a.m., with new admissions allowed up until midnight. Restaurants may also prepare and serve takeaway food, which must be collected by 1 a.m.

On January 1, restaurants and other catering facilities in very high and extreme-risk municipalities may open to serve meals until 3:30 p.m.



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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 Task Force 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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