

PUBLIC AFFAIRS

COVID 19 | Portugal renews State of Emergency

Lisbon

Last update: 11:30 a.m. 3rd of April 2020

The State of Emergency will be in force in Portugal at least until the 17th of April. The President and the Prime Minister considered its renovation "indispensable" in the context of the deceleration phase of the pandemic COVID-19.

In his speech to the nation, the Head of State admitted "this is the most important challenge of the past 45 years", and anticipating the Easter period, made the call: "do not exchange a few years of life for vacation days".

With a positive opinion from the Government, the [presidential decree](#) was approved by the Parliament once again with a large majority: PS, PSD, BE, PAN and CDS-PP repeated the vote in favour; The Green Party, the Communist Party, and non-registered MP Joacine Katar Joacine Katar Moreira abstained once again; the MP for the Liberal Initiative voted against and Chega! (far right) changed his vote in favour to an abstention due to the possibility of releasing prisoners.

The new presidential decree authorizes the Government to reinforce social and economic restrictions. The Prime Minister admits that "we are in the phase of maintaining discipline" and has already announced measures, which will still be implemented in law.

ADDITIONAL MEASURES

Social

The Easter period is at the heart of the renewed State of Emergency, due to the travelling usually associated with this time of year. Therefore, some of the new restrictions will only be applied precisely during the festive period, between the 9th and the 13th of April. The rules that were already in place remain.

In addition, with the renewal of the State of Emergency, those who disobey will have aggravated penalties compared to what is

already in the Penal Code for crimes of disobedience or resistance.

- Between 12:00 am on April 9 and midnight on April 13, circulation outside the municipality of residence will be limited, except for health reasons or other reasons of urgent need;
- Meetings of more than five people are prohibited, except for people with family ties;
- In the Easter period, all national airports will be closed for passengers. The exceptions will be

cargo, humanitarian, repatriation, state or military flights.

- The activity of funeral companies and the funeral services for the dead diagnosed with COVID-19 will be maintained.
- People with COVID-19 will be exempt from paying users fee for the diagnosis and treatment of the disease.

Economy

In addition to the exceptional measures for the movement of people, the Government also approved measures on the economic front, namely strengthening the power of the Authority for Working Conditions (ACT). The goal is to allow labour inspectors to prevent firings whenever there are signs of illegal dismissal, and notify the employers to rectify the situation.

- ACT may temporarily suspend all dismissals with indications of non-compliance with labour laws or unethical labour practices, by raising a record and notifying the employer.
- ACT may request state inspectors from any other public agency to strengthen its inspection capacity until April 17th.
- The credit lines for companies announced by the Government in the last two weeks may be reinforced due to the huge volume of loans: more than 800 operations have already been approved, with a total value of 365 million euros, very close to the current limit of 400 million euros for companies in all sectors.

Companies

The new wave of measures included only two focused on companies, to make the presentation of holiday.

- Enable the approval and unveiling of vacations map to take place within 10 days after the end of the state of emergency.
- Extension of the deadline for the implementation of electronic invoicing in public contracts until June 30th, 2021 for small and medium-sized companies, and until December 31st, 2021 for micro-companies.

Public Administration and social sector

The Government announced the renovation of the sanitary siege in Ovar (Aveiro district) and other measures for the social sector and Public Administration in the renewed State of Emergency.

- Extension of the effects of the declaration of the situation of calamity and the sanitary siege in the municipality of Ovar until April 17th, 2020.
- Increasing the power of municipalities, to increase the capacity and speed of response in supporting people in situations of vulnerability. Some of the public entities' rules for late payments will also be suspended, to allow for expenses associated with the response to the pandemic.
- Allocation of financing and compensation to transport operators, in order to promote their sustainability.

- Extension of the exceptional regime of overtime to private institutions of social solidarity, non-profit associations, cooperatives and other entities of the social sector.

Prisons

For the first time since the start of the State of Emergency, the Government decided to implement special protective measures for one of the most vulnerable segments of the population: prisoners.

- A special regime of pardon will be implemented, allowing the Minister of Justice to propose to the President of the Republic the total or partial pardon of prison sentences for prisoners aged 65 or older who have a physical or mental illness, or a particularly small degree of autonomy.
- Pardons for sentences of up to two years or the last two years of sentences, except in cases of former holders of political office or former civil servants, and in cases of particularly heinous crimes such as homicides, domestic violence, paedophilia or violent crime, among others.
- Prison leave licenses will be extended to a maximum period of 45 days with possible renewal in case of good behaviour.
- Possible anticipation of probation for six months, for prisoners eligible for good behaviour on administrative leave;
- Any criminal recurrence or breach of rules defined in pardons or releases results in the annulment

of the release and aggravation of penalties.

WHAT THE PRESIDENTIAL DECREE STILL ALLOWS

In the context of the new State of Emergency which will remain in effect until April 17th, the decree of the President of the Republic authorizes the Government to take further measures to combat the new Coronavirus, namely with regards to private economic initiative. The framework allows for the control of prices and tighter rules of stock management to guarantee the control of supplies for large retail outlets or divert medical equipment crucial to the National Health Service in case of extreme need; private hospitals may also be forced to expand care for infected patients in a situation of limited capacity in state hospitals.

The COVID-19 pandemic in Portugal continues to experience a growth in cases and the daily number of deaths, despite indications that the curve is rising more slowly than initially expected. The most recent data points to a total of 9034 confirmed infections and 209 deaths caused by the new Coronavirus in Portugal.

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