

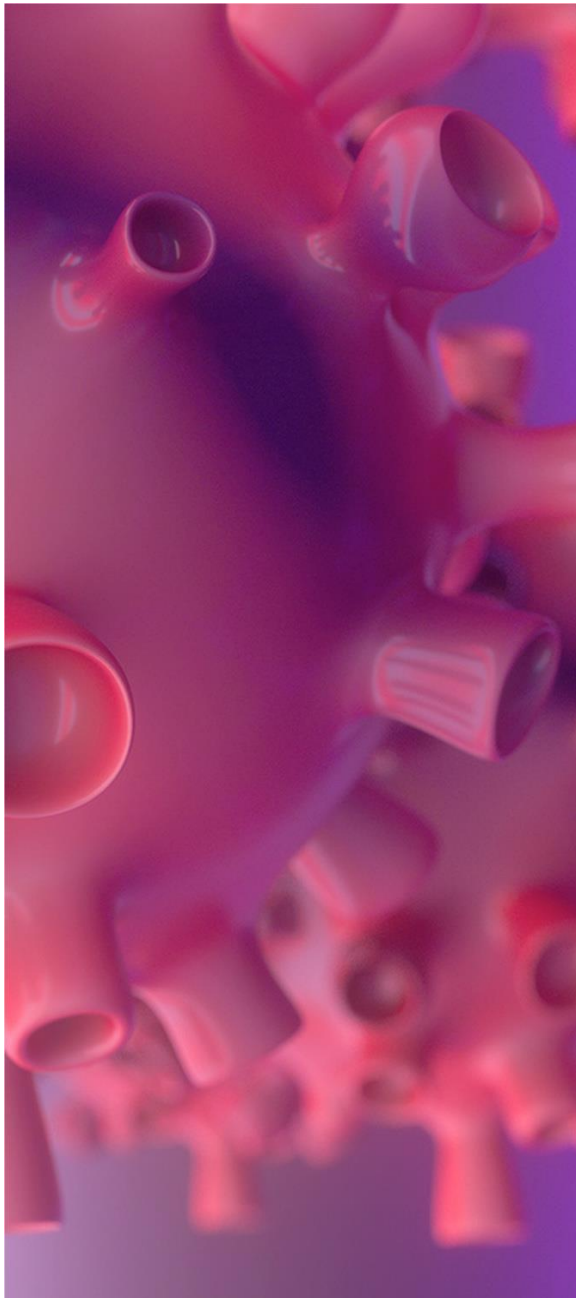
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# COVID-19 (No. 36)

Legal Flash | Portugal

Updated November 25, 2020

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- **Renewal of the state of emergency and the new restrictive measures - Decree 9/2020 of November 21 (updated with the Declaration of Rectification 47-B/2020, of November 24)**



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## Extension of the state of emergency and new restrictive measures established in Decree 9/2020 of November 21

As the number of new COVID-19 infections and deaths in Portugal continues to be very high, placing pressure on the National Health Service and the health system in general, the President of the Republic renewed the declaration of the state of emergency to maintain the legal framework required to implement the restrictive measures to face the current situation.

The limitations on the rights, freedoms, and guarantees allowed by the presidential decree affect five areas: i) restrictions on individual freedom and the freedom of movement; ii) restrictions on economic freedom and the right of private, social, and cooperative initiative; iii) restrictions on workers' rights; iv) limitations on the right to health, through imposing measures to control individuals' health state; and v) restrictions regarding personal data protection.

The declaration of the state of emergency applies to the entire national territory, including the Autonomous Regions of the Azores and Madeira. However, it also establishes the possibility of adopting distinct measures according to the specific epidemiological situation in each municipality.

The Portuguese government has regulated the presidential decree through Decree 9/2020 of November 21, rectified by Declarations of Rectification 47/2020, of November 22, and 47-B/2020, of November 24 (Decree 9/2020), and starts by grouping municipalities based on their respective epidemiological risk levels, as defined by the Portuguese Directorate-General of Health (DGS) and the European Centre for Disease Prevention and Control ("ECDC"), defining four groups: i) moderate-risk municipalities; ii) high-risk municipalities; iii) very high-risk municipalities; and iv) extreme-risk municipalities.

Then it establishes the set of restrictive measures applicable throughout mainland Portugal, followed by the definition of special restrictive measures for each group of municipalities according to the risk level.

Some measures are new, but others had already been included in the various decrees regulating the previous state of emergency and state of calamity, remaining simultaneously in force. Therefore, the government took the opportunity to bring together all the measures for implementing the state of emergency in a single decree.

For this reason, and for easier reading, this legal flash lists all the measures that will be in force during the renewal of the state of emergency, even though many have already been mentioned in previous COVID-19 legal flashes.



The state of emergency has been renewed for 15 days, starting at midnight on November 24, 2020, and ending at 11.59 p.m. on December 8, 2020, although it may be renewed again.

## **A) MEASURES APPLICABLE TO ALL MAINLAND PORTUGAL**

### **MEASURES APPLYING TO PEOPLE**

#### **Mandatory confinement**

Patients infected with COVID-19 and individuals under active surveillance remain subject to the duty of confinement in healthcare centers, their home, or another location specified by the health authorities.

#### **Private vehicles**

Private vehicles with seats for more than five persons may only circulate at two thirds of their capacity, and passengers must wear a face mask or visor, unless all passengers are part of the same family group.

#### **Funerals**

Funerals can take place, provided they implement organizational measures that guarantee that no concentrations of people occur, and the safety distance is maintained, particularly by setting a maximum number of attendees, to be established by the respective local government. However, the limit set may not prevent the presence at the funeral of the deceased's spouse or legal partner, parents, children, or other relatives.

### **Special measures applying on the weekends of December 1 and 8**

#### **Limitations on movement between municipalities**

Traveling outside one's home municipality is prohibited across all mainland Portugal between 11 p.m. on November 27, 2020, and 5 a.m. on December 2, 2020, as well as between 11 p.m. on December 4, 2020, and 11.59 p.m. on December 8, 2020, except for health and other imperative reasons.

Exceptions to this prohibition

- a) Traveling to carry out professional or equivalent duties, justified by a certificate:
  - i. issued by the employer or equivalent;
  - ii. issued by the individual, in the case of freelance workers, individual business owners, and members of a statutory body; and



- iii. given a *bona fide*, if traveling from or to a neighboring district to one's home district or within the same metropolitan area, as well as in the case of agricultural, livestock, and fishing workers.
- b) Traveling to carry out one's duties, with no need for a statement issued by the employer or equivalent:
  - i. for health professionals and other workers in health care and social support institutions, as well as teaching and non-teaching personnel in educational establishments;
  - ii. for civil protection, security forces and services, military and militarized agents and civil personnel in the Armed Forces, and Food and Economic Safety Authority inspectors;
  - iii. for representatives of the sovereign bodies, leaders of social agents and of the political parties with representation in Parliament and bearers of a legally issued *laissez-passer* (free pass);
  - iv. for religious ministers, accredited by the relevant bodies in their church or religious community; and
  - v. for diplomatic and consular personnel and members of international organizations in Portugal carrying out their official duties.
- c) Traveling to transport minors and their companions to school, kindergarten, and leisure activities, as well as traveling by students to higher education institutions and other educational establishments;
- d) Traveling by users and their companions to Occupational Activity Centers and Day Centers;
- e) Traveling for educational purposes and to take tests, as well as to carry out inspections;
- f) Traveling to participate in proceedings in court or acts before notaries, lawyers, solicitors, registrars, and registrar officers, as well as to attend public services, providing proof of their scheduling;
- g) Traveling as required to leave mainland Portugal;
- h) Traveling by nonresidents to their verified place of stay;
- g) Traveling for imperative family reasons, particularly shared parental duties, as established by agreement between the parents or by the relevant court;
- h) Traveling to return home.

### **Long weekend and suspension of teaching and non-teaching activities**

Workers carrying out public duties in the direct state administration services, both central and decentralized, as well as in public institutions, have been granted a long weekend on November 30



and December 7. The long weekend does not apply to essential service workers who, for reasons of public interest, must continue to operate during that period.

During this period, teaching and non-teaching and training activities will be suspended, whether in public, private, and cooperative and social and NGO educational establishments for pre-school, basic, secondary, and higher education and in social establishments that provide support to infants and children with disabilities, as well as in educational centers directly managed or co-managed by the Employment and Vocational Training Institute, I.P..

### **Mandatory use of masks or visors**

The use of masks and visors to access or stay in the following facilities is mandatory:

- a) Commercial and service areas and establishments;
- b) Public buildings or buildings for public use providing services or where public acts are held;
- c) Educational establishments and kindergartens;
- d) Collective passenger transport;
- e) Show venues, movie theaters, and similar venues.

The use of masks or visors is also mandatory to access, circulate, and stay in public areas and thoroughfares if the recommended physical distance is not possible, except for members of the same family group when they are not in the proximity of third parties.

The use of masks or visors is mandatory only for people older than 10 years of age, except in educational establishments, where masks are mandatory for children from the 2nd cycle of basic education onwards, regardless of their age.

The use of masks or visors is not mandatory when it is not possible due to the nature of the activities. It is also not mandatory if a) a multi-use medical certificate of disability or medical statement is provided in the case of individuals with cognitive or developmental disabilities or psychological disorders; and b) a medical certificate is provided stating that an individual's clinical condition is incompatible with the use of masks or visors.

Decree 9/2020 extends the mandatory use of masks or visors to access or stay in work facilities if the physical distance recommended by the health authorities is not possible. However, this obligation does not apply to workers who work in an office, room, or equivalent that does not have any other occupants or when airtight physical separation and protection barriers between workers are used.



## Control of body temperature

People's body temperature may be taken by non-invasive means at access controls in the workplace, public services and institutions, educational establishments, and commercial, cultural, and sports facilities, as well as on public transport and at residential structures, health care establishments, prisons, and educational centers.

Individuals who must undergo COVID-19 diagnostic tests may also have their temperature taken, as specified below.

Taking people's body temperature does not affect the right to individual data protection. It is expressly forbidden to record the body temperature associated with an individual's identity unless they specifically authorize it. Body temperature may be taken by workers of the entity responsible for the facilities or establishment, using equipment that may not contain any memory or take any record of the temperature taken. Also, workers taking body temperature are subject to professional secrecy following the recent guidelines of the National Data Protection Committee, which we reported in our COVID-19 Newsletter: *New CNPD guidelines on the processing of personal data in the context of the measures to fight the pandemic*, which you may view [here](#).

If an individual refuses to have their body temperature taken or their temperature is equal to or higher than 38°C (100.4°F), their access to the facilities may be denied. If the temperature taken is equal to or higher than 38°C and this prevents a worker's access to their workplace, their absence is considered justified.

## SARS-CoV-2 diagnostic testing

Conducting SARS-CoV-2 tests for workers, users, and visitors at health care establishments, educational establishments, and residential structures, as well as prison inmates and young people who are residents in educational centers and their respective workers, is also permitted. Anyone intending to enter or exit mainland Portugal or the autonomous regions by air or sea may also be required to undergo tests, as well as anyone intending to access certain facilities provided for this purpose by the DGS.

If the outcome of these tests prevents a worker from accessing their workplace, their absence will be considered justified.

## MEASURES APPLYING TO ECONOMIC ACTIVITIES

### I. Economic activities and commercial establishments that remain closed

The following establishments and facilities will remain closed during this period:



- > Leisure, recreational and entertainment activities: dance and entertainment halls, amusement parks, recreational areas for children, and other outlets and similar facilities
- > Activities held in outdoor spaces and in public or equivalent thoroughfares: parades and festivals and folk events of any kind
- > Gaming and gambling spaces: gaming and recreational halls
- > Drinks establishments: bars and similar establishments, with or without dance floors, except those that are part of tourism and local accommodation establishments exclusively for their guests; regarding these establishments, they may operate subject to the rules applicable to cafés and similar establishments, without needing to change their economic classification, provided (i) they observe the rules and guidance issued by the DGS, and (ii) dance floors and similar areas are not used for this purpose and either remain unusable or are equipped with tables for customers.

### Exceptions to the rules suspending activity, closing of establishments, and business hours

The following are excluded from the scope of the rules established in Decree 9/2020 relating to the suspension of activity, the closing of establishments, or the opening, closing, or business hours of establishments, regardless of their location or area:

- a) Establishments that provide medical services or other health and social support services, particularly hospitals, medical practices and clinics, dental clinics, and emergency medical veterinary centers, as well as the support services that are a part of those facilities;
- b) Pharmacies;
- c) Educational establishments and vocational training centers, kindergartens, occupational activity centers, and full-time educational areas;
- d) Tourist establishments and local accommodation establishments, as well as student accommodation establishments;
- e) Funeral homes and associated services;
- f) Service stations and gas stations on freeways;
- g) Fuel supply stations not included in the previous category, as well as electricity charging stations, exclusively for the sale of fuel to the public and the supply or charging of vehicles for the movement allowed in each territory;
- h) Rent-a-cargo and rent-a-car establishments;
- i) Establishments inside airports located in mainland Portugal, after passenger security control.



## Rules applicable to establishments open to the public - opening hours

The following rules remain the same: occupancy, length of stay and physical distancing, hygiene, availability of disinfectant solutions, and priority care and customer information in commercial and service establishments open to the public.

Regarding opening hours, the rule by which establishments that returned to their activity after the end of the state of emergency may not open before 10 a.m. is maintained. The following establishments are exempt from that rule:

- Hairdressing salons, barber's shops, and beauty clinics;
- Restaurants and similar, and cafés and similar;
- Driving schools and centers for technical inspection of vehicles;
- Sports facilities.

## Activities subject to specific rules: restaurants and similar establishments

Restaurants and similar establishments remain subject to the following conditions:

- Compliance with the instructions specifically given by the DGS for this purpose.
- Occupancy inside establishments is limited to 50% capacity (alternatively, airtight physical barriers must be placed between customers facing each other), with a distance between tables of 1.5 meters.
- Previous appointment systems must be used to prevent customers from waiting in and outside establishments.
- Groups of more than six individuals are not allowed, unless they are members of the same family group.
- Until 8 p.m. on business days, unless they belong to the same family group, groups of more than four people may not meet in restaurants, cafés, tea shops, or similar establishments located within 300 meters from an elementary or secondary school or higher education institution.
- Unless they belong to the same family group, groups of more than four people may not remain in food courts in malls, and space must be arranged in a way that prevents the concentration of people, and the DGS guidelines for the catering sector must be followed, adapted as required.
- Occupation or service in terraces is only allowed if the limitations on the sale and consumption of alcoholic drinks and the DGS guidelines for the catering sector are met, adapted as required.





- Restaurants and similar establishments may continue to operate on a take-away or home delivery basis, and they are exempt from a license for this activity. Their workers may decide whether to participate in these activities, even if they are not part of their respective work contracts.

The opening hours of restaurants and similar establishments vary depending on the risk level in the municipality in which they are located, with the rules below applying.

### Other activities and establishments subject to specific rules

The operation of the following businesses or establishments continues to be allowed, provided they comply with the DGS guidelines:

- Gambling and gaming establishments, casinos, bingo halls, and similar venues;
- Leisure and similar facilities;
- Fairs and markets;
- Hairdressing salons, barbershops, and beauty clinics, by appointment;
- Tattoo and body piercing establishments and parlors, by appointment;
- Massages in beauty salons, gymnasiums, and similar establishments.

Regarding establishments specified in a), they must also have a specific cleaning and hygienization protocol for gambling areas, prioritizing TPA transactions, and they must not allow people to enter the establishments if they do not intend to consume or gamble. Regarding the establishments specified in b), they must operate on premises authorized, under the legal terms, by the local authorities with territorial jurisdiction and comply with the other applicable legislation.

Fairs and markets may operate, provided (i) they have a COVID-19 contingency plan that establishes rules on occupancy, length of stay, physical distancing, and hygiene; (ii) they have in place measures regarding access and circulation and the mandatory use of masks or visors; and (iii) they provide disinfectant solutions.

### Restrictions on the consumption and sale of alcoholic drinks

The sale of alcoholic drinks in service areas or gas stations, and, after 8 p.m., in retail establishments, including supermarkets and hypermarkets, continues to be prohibited.

Regarding home delivery, directly or through an intermediary, as well as to take away, alcoholic beverages cannot be provided after 8 p.m.



The prohibition of consuming alcoholic drinks in outdoor areas open to the public, with the exception of the licensed terraces of restaurants, also continues to apply. After 8:00 p.m., this exception will only allow the consumption of alcoholic drinks with meals.

### Measures applying to public services

Public services will preferably maintain face-to-face service by appointment, as well as the provision of services by digital means and through contact centers for individuals and businesses.

The hygiene rules and priority customer service applicable to facilities open to the public apply to these services, adapted as appropriate.

### Measures applying to cultural events

Show venues, theaters, movie theaters, and similar venues, as well as outdoor cultural events, continue to be allowed, provided the following conditions are met:

- They follow, with the adjustments required, the rules on occupancy limitations, physical distancing, and hygiene applicable to facilities open to the public and other facilities specified by the DGS.
- In show venues or movie theaters, the following conditions must be met whenever possible:
  - A distance of one seat is maintained between audience members who do not live together and alternating with the next row;
  - If there is a stage, the distance between the bottom of the stage and the first audience row must be at least two meters.
- In outdoor venues, seats must be previously identified, complying with the physical distancing of 1.5 meters between viewers, and, if there is a stage, the same distance as in show venues must be ensured.
- Ticket boxes should preferably be protected by barriers.
- Electronic purchase of tickets in advance and contactless payment must be prioritized.
- Whenever applicable, the maintenance of ventilation systems, with no air recirculation, must be ensured.
- Physical contact between artists must be minimized, adapting scenes to keep the recommended physical distance.

In areas intended for food and drink consumption at these cultural venues, the rules established by DGS for the catering sector must be followed. Food and drinks may not be consumed inside show venues or movie theaters.



## Measures applying to physical and sports activities

Physical and sports training and competitions, including the Professional First Soccer League, may be conducted without the public, provided the DGS guidelines are followed.

Operating sport facilities must follow the hygiene rules applicable to facilities open to the public.

The training and competition activities of national team athletes in the Olympic category, 1st national division, or corresponding competition level, of all male and female senior modalities, as well as in international competitions, are equivalent to professional activities for the purposes of the application of the measures now established.

## Measures applying to air traffic and airports

Passengers on flights from countries to be specified by the government order must provide, on departure, a certification of a negative COVID-19 test taken within 72 hours before departure, or they will be denied access to the aircraft and entry in Portugal.

Portuguese citizens and foreigners who are legal residents in Portugal who, on an exceptional basis, do not carry a certification of a negative COVID-19 test will be immediately referred to the safety authorities with jurisdiction to take this test at their own expense.

ANA – Aeroportos de Portugal, S. A. must take, through infrared technology, the body temperature of all passengers arriving in Portugal. If a body temperature equal to or higher than 38°C is detected, passengers will be immediately referred to an adequate area to have their body temperature taken again. Should the situation require it, they will also undergo an RT-PCR molecular test to detect SARS-CoV-2 infection. These measures to take the body temperature and undergo a diagnostic test do not apply to the airports in the Autonomous Regions of the Azores and Madeira, where specific rules apply.

Passengers referred to take the COVID-19 test who do not bear a test certificate, as well as those found to have a body temperature equal to or higher than 38°C and who take the RT-PCR test to detect COVID-19 may leave the airport after providing their contact data, but they must remain in mandatory isolation and confinement at their destination until the results of the laboratory test arrive.

## **B) SPECIAL AND DIFFERENT SYSTEMS BASED ON THE EPIDEMIOLOGICAL RISK LEVEL**

The measures listed above apply across all mainland Portugal.



However, as stated, the presidential decree renewing the state of emergency establishes the possibility of taking distinct measures, adapted to the specific epidemiological situation in each municipality.

The government has defined different measures, which are specific to each group of municipalities, depending on their respective epidemiological risk: moderate-risk, high risk, very high risk, and extreme risk. These measures are listed below.

### C) PROVISIONS APPLYING TO MODERATE-RISK MUNICIPALITIES

The **moderate-risk municipalities** are the following: **Aguiar da Beira, Alandroal, Alcoutim, Aljezur, Aljustrel, Almodôvar, Alpiarça, Alter do Chão, Alvaiázere, Alvito, Arraiolos, Avis, Barrancos, Beja, Bombarral, Borba, Caldas da Rainha, Carrazeda de Ansiães, Carregal do Sal, Castanheira de Pêra, Castelo de Vide, Castro Marim, Castro Verde, Ferreira do Alentejo, Ferreira do Zêzere, Figueiró dos Vinhos, Fornos de Algodres, Fronteira, Góis, Golegã, Gouveia, Loulé, Lourinhã, Mação, Marvão, Mértola, Moimenta da Beira, Monchique, Moura, Mourão, Óbidos, Odemira, Olhão, Oliveira do Hospital, Ourique, Pedrógão Grande, Pinhel, Portel, Santa Comba Dão, Santiago do Cacém, São Brás de Alportel, Sernancelhe, Sertã, Silves, Sousel, Tábua, Tabuaço, Tavira, Vendas Novas, Vidigueira, Vila de Rei, Vila Flor, Vila Real de Santo António, Vila Velha de Ródão, and Vouzela.**

### MEASURES APPLYING TO PEOPLE

#### Freedom of movement, celebrations, and other events

In moderate-risk municipalities, individuals are not subject to mandatory confinement, and there are no restrictions on freedom of movement.

Only COVID-19 patients and individuals under active surveillance are subject to mandatory confinement in health establishments, at home, or, if not possible, in facilities specified by the authorities.

In these municipalities, celebrations and other events involving gatherings of more than **six people**, unless they belong to the same family group, are not allowed.

Without prejudice to this rule, the following events are allowed, with the DGS providing the respective specific guidelines:

- a) Religious ceremonies, including community celebrations;



- b) Family events, including weddings and baptisms. Groups of more than **50 people** are not allowed (this limitation does not apply to weddings and baptisms scheduled up to 11.59 p.m. on October 14, 2020, to be verified by a statement from the celebrant entity);
- c) Corporate events held in adequate spaces (congress halls, tourist establishments, adequate facilities for trade fairs and outdoor spaces);
- d) Cultural events.

In the absence of DGS guidelines, event organizers must comply with the general provisions that apply to the operation of establishments open to the public, including the rules on catering areas, with the use of masks or visors by participants in indoor areas being mandatory.

### MEASURES APPLYING TO ECONOMIC ACTIVITIES

#### Business hours of commercial establishments

**Commercial establishments will be closed between 8 and 11 p.m., with the following exceptions:**

- a) Restaurants (for meals in the establishment), which must close at 1 a.m., with no more members of the public being admitted from midnight;
- b) Restaurants and similar establishments that continue to prepare take away or home delivery meals, directly or through an intermediary;
- c) Cultural establishments and sports facilities.

The closing times for commercial establishments may be set, within this interval, by the mayor of the municipality that has territorial jurisdiction, with the favorable opinion of the local health authority and security forces.

### D) PROVISIONS APPLICABLE TO HIGH-RISK MUNICIPALITIES

The **high-risk municipalities** are the following: **Albufeira, Alcácer do Sal, Alcobaça, Alcochete, Alenquer, Almeida, Almeirim, Anadia, Ansião, Arronches, Arruda dos Vinhos, Barreiro, Batalha, Benavente, Cadaval, Campo Maior, Castelo Branco, Castro Daire, Chamusca, Coimbra, Condeixa-a-Nova, Cuba, Elvas, Entroncamento, Estremoz, Évora, Faro, Gavião, Grândola, Idanha-a-Nova, Lagoa, Lagos, Leiria, Lousã, Mafra, Marinha Grande, Melgaço, Mesão Frio, Mira, Miranda do Douro, Moita, Monção, Monforte, Montalegre, Montemor-o-Novo, Montemor-o-Velho, Montijo, Mortágua, Nelas, Palmela, Paredes de Coura, Penalva do Castelo, Penedono, Peniche, Peso da Régua, Ponte da Barca, Ponte de Sor, Portimão, Porto de Mós, Redondo, Ribeira de Pena, Rio Maior, Salvaterra de Magos, Santarém, São João da Pesqueira, Sardoal, Serpa, Sesimbra, Sobral de Monte Agraço, Soure, Terras de Bouro, Tomar, Tondela, Torres Novas, Torres Vedras, Trancoso,**



**Viana do Alentejo, Viana do Castelo, Vila do Bispo, Vila Nova da Barquinha, Vila Nova de Cerveira, Vila Nova de Poiares, Vila Viçosa, Vimioso, Vinhais, and Viseu.**

## MEASURES APPLYING TO PEOPLE

### General duty of home confinement

**Between 5 a.m. and 11 p.m.,** citizens who are residents of high-risk municipalities must **refrain from being in public spaces and thoroughfares, as well as in private spaces and thoroughfares equivalent to public thoroughfares, remaining at home, except to the following authorized movements:**

- a) purchase goods and services;
- b) commute for professional or similar activities;
- c) search for jobs or respond to a job offer;
- d) travel for health reasons (to receive health care and to accompany persons who must receive health care) or to donate blood;
- e) travel to emergency housing of victims of domestic violence and human trafficking, as well as to attend to children and young people at risk;
- f) travel to assist vulnerable persons, persons with disabilities, children, parents, seniors, and dependents;
- g) transport minors and their caregivers to schools, kindergartens, and leisure activities;
- h) transport individuals with intellectual disabilities to attend occupational activity centers;
- i) go to events and cultural facilities;
- j) exercise for short periods;
- k) travel to participate in volunteering and social actions;
- l) move for imperative family reasons, particularly shared parental duties, as established by agreement between the parents or by the relevant court;
- m) go to school;
- n) travel for visits, when authorized, or for the delivery of essential goods to people who are disabled or deprived of their freedom of movement;
- o) take part in procedural acts before judicial entities or in acts involving notaries, lawyers, court agents, or registrars;



- p) take short walks with pets and to feed animals;
- q) travel by veterinarians or animal keepers for veterinary medical assistance; travel by colony caregivers recognized by municipalities; travel by volunteers from zoo associations with dependent animals who need to go to animal shelters and municipal veterinary services for the collection and assistance of animals;
- r) travel by people holding a *laissez passer* (free pass), in the performance of their duties or because of them;
- s) travel by staff of diplomatic and consular missions and of international organizations located in Portugal, if related to the performance of official duties;
- t) travel required to exercise press freedom;
- u) travel for educational purposes and to take tests;
- v) visit residents in nursing homes and homes for people with disabilities, continued care units in the National Integrated Care Network, and other facilities for older people, as well as for daycare center activities;
- w) go to stations and post offices, bank branches, and insurance brokerage or insurance agencies;
- x) leave mainland Portugal;
- y) carry out any similar activities or for other force majeure or mandatory reasons, provided a justification is provided; and
- z) return home as part of the movements specified in the previous sections.

The use of private vehicles is permitted for any of the above reasons or to refuel.

During all authorized movements, the recommendations and orders of the health authorities and the security forces and services must be followed, particularly regarding **the distance between people**.

### **Mandatory curfew**

In these municipalities, **there is a mandatory curfew between 11 p.m. and 5 a.m., with the following exceptions:**

- a) Traveling to carry out professional or equivalent duties, justified by a certificate:
  - i. issued by the employer or equivalent;
  - ii. issued by the individual, in the case of freelance workers, individual business owners, and statutory body members; or
  - iii. given *bona fide* by agricultural, livestock, and fishing sector workers;



- b) Traveling to carry out one's duties or due to them, with no need for a certificate issued by the employer or equivalent:
  - i. for civil protection, security forces and services, military and militarized agents and civil personnel in the Armed Forces, and Food and Economic Safety Authority inspectors;
  - ii. for representatives of the sovereign bodies, leaders of social agents and of the political parties with representation in Parliament and bearers of a legally issued *laissez-passer* (free pass);
  - iii. for religious ministers, accredited by the relevant bodies in their church or religious community; and
  - iv. for diplomatic and consular personnel and members of international organizations in Portugal carrying out their official duties;
- c) Traveling for health reasons, including to purchase pharmacy products or for health care and to transport persons who require that care or to donate blood;
- d) Traveling to provide emergency housing to victims of domestic violence or human trafficking, at-risk children and youths, implementing a measure ordered by a court or the Committee for the Protection of Children and Youths (*Comissão de Proteção de Crianças e Jovens*);
- e) Traveling to assist vulnerable persons, persons with disabilities, children, parents, seniors, and dependents;
- f) Traveling for other imperative family reasons, particularly shared parental duties, as established by agreement between the parents or by the relevant court;
- g) Travel by veterinarians or animal keepers for urgent veterinary medical assistance; travel by colony caregivers recognized by municipalities; travel by volunteers from zoo associations with dependent animals who need to go to animal shelters and travel by animal rescue teams for urgent assistance of animals;
- h) Traveling as required to exercise press freedom;
- i) Short walks to spend time outdoors, either alone or with members of the same family group living together;
- j) Short walks with pets;
- k) Traveling to transport children and their companions to schools, kindergartens, and leisure activities, as well as traveling by students to higher education institutions and other educational establishments;
- l) Other reasons of force majeure or imperative need, provided it is shown that they are unavoidable and justified;
- m) Returning home in the context of the travel specified in the previous paragraphs.





The use of private vehicles is permitted for any of the above reasons and to refuel.

## Events

Celebrations and other events involving the gathering of more than **six people** are not allowed, unless they belong to the same family group, with the following exceptions:

- a) Religious ceremonies;
- b) Cultural shows or scientific events held in permanent venues for art shows or higher education establishments.

## MEASURES APPLYING TO COMMERCIAL ACTIVITIES

### Closing times for commercial establishments

**Commercial and service establishments in high-risk municipalities must close at 10 p.m. (including those in malls),** apart from:

- a) restaurants, which must close at 10.30 pm;
- b) restaurants and similar establishments that only provide takeaway or delivery services, directly or through an intermediary, which must close at 1 a.m.;
- c) cultural facilities, which must close at 10.30 p.m.; and
- d) sports facilities, when used for federated sports practice which must close at 10.30 p.m.

The closing time for the establishments stated in the above list may be set by the mayor of the municipality that has territorial jurisdiction, with the favorable opinion of the local health authority and security forces.

## E) PROVISIONS APPLICABLE TO VERY HIGH- AND EXTREME-RISK MUNICIPALITIES

During the state of emergency, the government has decided to apply the same special restrictive measures to very high-risk and extreme-risk municipalities.

**The very high-risk municipalities** are the following: **Abrantes, Águeda, Albergaria-a-Velha, Alijó, Almada, Amadora, Arcos de Valdevez, Arganil, Armamar, Aveiro, Azambuja, Baião, Boticas, Bragança, Cabeceiras de Basto, Cantanhede, Cartaxo, Cascais, Chaves, Constância, Coruche, Covilhã, Esposende, Estarreja, Figueira da Foz, Fundão, Guarda, Ílhavo, Lamego, Lisbon, Loures, Macedo de Cavaleiros, Mangualde, Mealhada, Mêda, Miranda do Corvo, Mirandela, Mogadouro,**



Mondim de Basto, Mora, Murça, Murtosa, Nazaré, Nisa, Odivelas, Oeiras, Oleiros, Oliveira de Frades, Oliveira do Bairro, Ourém, Pampilhosa da Serra, Penacova, Penamacor, Penela, Pombal, Ponte de Lima, Proença-a-Nova, Reguengos de Monsaraz, Resende, Sabrosa, Sabugal, Santa Marta de Penaguião, São Pedro do Sul, Sátão, Seia, Seixal, Setúbal, Sever do Vouga, Sines, Sintra, Tarouca, Torre de Moncorvo, Vagos, Valpaços, Vila Franca de Xira, Vila Nova de Foz Côa, Vila Nova de Paiva, Vila Pouca de Aguiar, Vila Real, and Vila Verde.

The extreme-risk municipalities are the following: Alcanena, Alfândega da Fé, Amarante, Amares, Arouca, Barcelos, Belmonte, Braga, Caminha, Castelo de Paiva, Celorico da Beira, Celorico de Basto, Cinfães, Crato, Espinho, Fafe, Felgueiras, Figueira de Castelo Rodrigo, Freixo de Espada à Cinta, Gondomar, Guimarães, Lousada, Maia, Manteigas, Marco de Canaveses, Matosinhos, Oliveira de Azeméis, Ovar, Paços de Ferreira, Paredes, Penafiel, Portalegre, Porto, Póvoa de Lanhoso, Póvoa de Varzim, Santa Maria da Feira, Santo Tirso, São João da Madeira, Trofa, Vale de Cambra, Valença, Valongo, Vieira do Minho, Vila do Conde, Vila Nova de Famalicão, Vila Nova de Gaia, and Vizela.

### MEASURES APPLYING TO PEOPLE

#### General duty of home confinement

People who live in a very high-risk or extreme-risk municipality are subject to a duty of home confinement; i.e., they must stay at home and refrain from being in public areas and thoroughfares, as well as in private areas and thoroughfares equivalent to public thoroughfares, between 5 a.m. and 11 p.m. from Monday to Friday, as well as between 5 a.m. and 1 p.m. on Saturdays, Sundays, and public holidays.

The exceptions to this rule, i.e., the authorized movements during those periods, are the same as those applicable for the non-curfew period in high-risk municipalities, which are described above.

#### Mandatory curfew

In very high-risk and extreme-risk municipalities, **confinement is mandatory every day between 11 p.m. and 5 a.m.**, and **between 1 p.m. and 5 a.m. on Saturdays, Sundays, and public holidays**. During these periods, the movement allowed is the same as that applicable for the curfew period in high-risk municipalities, which is described above.

However, in addition to the movement described above, going to groceries and supermarkets and other establishments that sell food and hygiene products for people and animals is also allowed on Saturdays, Sundays, and public holidays during the curfew period. Other products available in those establishments may also be purchased.



## Events

The rules described above for high-risk municipalities also apply to very high-risk and extreme-risk municipalities.

## MEASURES APPLYING TO COMMERCIAL ACTIVITIES

### Business hours of commercial establishments

The rules on closing times for commercial and service establishments in high-risk municipalities described above also apply to commercial and service establishments in very high-risk and extreme-risk municipalities.

However, retail and service establishments in those municipalities may open between 8 a.m. and 1 p.m. on Saturdays, Sundays, and public holidays, and they may open between 8 a.m. and 3 p.m. on November 30 and December 7.

The following establishments may operate outside those hours:

- a) **Establishments that sell food products, as well as natural or diet, health and hygiene products**, with a sale or service area equal to or smaller than 200 square meters, with a separate, independent entrance;
- b) **Restaurants and similar establishments**, regardless of their sale or service area, exclusively for take-away or home delivery services;
- c) **Gas stations**, exclusively to sell fuel to the public and supply vehicles, for the purpose of an authorized movement.

However, establishments that opened earlier than 8 a.m. before November 9 may continue to open at that earlier time. Establishments authorized to operate 24 hours a day may reopen at 8 a.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](mailto: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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