

LICENSING TO CARRY ON ECONOMIC ACTIVITIES



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The new Simplified Rules on Licensing to Carry on Economic Activities ("**Simplified Rules**") came into force on 28 July 2017. The Simplified Rules were approved by Decree 39/2017 of 28 July.

The approval of this new legal framework expressly repeals the Simplified Licensing Regulations (approved by Decree 5/2012 of 7 March) and article 25(1) of the Regulations on Licensing of Industrial Activity (approved by Decree 22/2014 of 16 May) on micro industrial establishments.

The Simplified Rules establish:

- The **simplified licence**; and
- The **certificate of mere prior communication of economic activities** which, by their nature, do not have any negative impact on the environment, public health, safety and the economy in general.

However, the new legislation does also cover economic activities that are capable of causing negligible, minimum or insignificant negative impact, included in Category C of the Environmental Impact Evaluation.

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The One-stop Service Desks (Balcões de Atendimento Único) are the bodies responsible for issuing simplified licences and certificates of mere communication, and for dealing with their suspension or revocation. The licences and certificates must be issued upon personal attendance at the service desk within a maximum of one day, and they are valid indefinitely.

Applications for re-issuance of licences and any endorsements are subject to payment of a fee that corresponds to 50% of the minimum salary in force in the civil service. Mere prior communication is not subject to the payment of any fee.

Simplified licences and certificates of mere prior communication may be renounced by their holder, or revoked upon a complaint by an interested party, or at the initiative of the licensing body, if the requirements established in the applicable rules are met.

It is important to be aware of the need for regularisation of simplified licences currently in force. Although they are not subject to the payment of any fee, these licences must be regularised with the responsible body within one year of the date of entry into force of the Simplified Rules.

The Simplified Rules also establish the bodies responsible for the subsequent supervision of licensed economic operators, and the rules on sanctioning and penalties for breach of the obligations imposed in the rules.

It is important to be aware of the need for regularisation of simplified licences currently in force. Although they are not subject to the payment of any fee, these licences must be regularised with the responsible body within one year of the date of entry into force of the Simplified Rules.

In view of the need to regularise simplified licences within the deadline established for this purpose, we are available to provide any further information or assistance you may need.

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