

NEWSLETTER

July and August 2022



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July 2022

I. Approved diplomas

1. Review and setting of the rates for the tax on oil and energy products (ISP)

Ordinance no. 167-D/2022 was published in the State Gazette no. 126/2022, series I of 01.07.2022, which extends the validity of Ordinance no. 164-A/2022, of June 24, 2022.

This Ordinance shall come into force on June 04, 2022 and shall remain in force until September 04, 2022.

2. 2022 Tax calendar – Adjustments: Value Added Tax (VAT) and Transfer Pricing

Order no. 135/2022-XXIII, of the Office of the State Secretary of Tax Affairs, of 06 July 2022, adjust the 2022 tax calendar, free of any charges or penalties, as follows:

- Monthly and quarterly VAT returns which legal deadline ends 31 August 2022, payment of the tax due allowed until 06 September 2022;
- Organization and/or filing of the transfer pricing documentation file, allowed until 15 September 2022.

3. Waiver of tax representative

Decree-Law no. 44/2022 was published in the State Gazette no. 131/2022, series I of 08.07.2022, which amends the General Tax Law (in Portuguese, “Lei Geral Tributária”) in order to disaggregate the (i) obligation to appoint a tax representative for taxpayers residing abroad or who are absent from the country for more than sin month; and, (ii) obligation to use an electronic mailbox for Corporate Income Tax (CIT) taxpayers with business activity in Portugal or for resident taxpayers under the normal Value Added Tax (VAT) regime.

The present Decree-Law come into force on 09 July 2022.

4. Withholding tax rates applicable from 1 July 2022 onwards – Personal Income Tax (PIT) in Mainland Portugal

Order no. 8564-A/2022 was published in the State Gazette no. 133/2022, series II of 12.07.2022, which approves the new withholding PIT applicable to employment income paid or made available from 01 July 2022 onwards to taxpayers who are resident in mainland Portugal.

The present Order come into force on 13 July 2022.

5. Withholding tax rates applicable from 1 July 2022 onwards – Personal Income Tax (PIT) in Mainland Portugal – Amendment

Amendment Notice no. 629-A/2022 was published in the State Gazette no. 135/2022, series II of 14.07.2022, which amends Order 8564-A/2022, dated 12 July 2022, in respect to withholding PIT rates applicable to employment income paid or made available from 01 July 2022 onwards to taxpayers who are resident in mainland Portugal.

The present Amendment Notice come into force on 13 July 2022.

6. Property Transfer Tax (in Portuguese, IMT) – New rates applicable from 1 July 2022 - Republished

Tax Circular no. 40119, from the Office of the Subdirector general of the Wealth Tax Area, dated July 25, 2022, was republished which corrects an oversight in Table IV of Circular Letter no. 40119, dated June 28, 2022.

7. Personal Income Tax (in Portuguese, IRS) and Corporate Income Tax (CIT) – Autonomous Region of Madeira – 2022 Budget - Amendment

Regional Legislative Decree 14/2022/M, was published in the State Gazette no. 144/2022, series I of 27.07.2022, which proceeds to the amendment to Regional Legislative Decree 28-A/2021/M, of 30 December.

Among other aspects, we highlight:

- The amendment of the IRS rates applicable to taxpayers resident in the Autonomous Region of Madeira; and,
- The amendment of the IRC rates in case of micro, small and medium sized companies which carry out an agricultural, commercial, industrial or services activity, provided for in Article 41-B of the Tax Benefits Code (in Portuguese, Estatuto dos Benefícios Fiscais).

8. Personal Income Tax (in Portuguese, IRS) – Withholding tax rates applicable from 1 July 2022 onward - Autonomous Region of Madeira

Order no. 277/2022 was published in the Official Gazette no. 141, series II of 28-07.2022 of the Autonomous Region of Madeira, which updates and republishes the withholding Personal Income Tax rates applicable to employment and pension income, paid or made available from 1 July 2022, earned by taxpayers who are resident in that Autonomous Region.

August 2022

9. Suspension of the update of the rate of the addition on CO2 emissions

Order no. 217-A/2022 was published in the Official Gazette no. 168/2022, series I of 31.08.2022, which suspends the update of the rate of the addition on CO2 emissions.

The present Order come into force on 01 September 2022.

10. Review and setting of the rates for the tax on oil and energy products (ISP)

Ordinance no. 217-B/2022 was published in the State Gazette no. 168/2022, series I of 31.08.2022, which extends the validity of Ordinance no. 164-A/2022, of June 24, 2022.

This Ordinance shall come into force on September 05, 2022 and shall remain in force until October 02, 2022.



11. Temporary update of the ISP unit rate applicable to colored and marked gas oil

Ordinance no. 217-C/2022 was published in the State Gazette no. 168/2022, series I of 31.08.2022, which temporarily reduces the ISP rate applicable to colored and marked gas oil, maintaining 6 cents per liter, without prejudice to a new assessment during the course of next month depending on price developments.

This Ordinance shall come into force on September 01, 2022 and shall remain in force until October 02, 2022.

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