

NEWSLETTER

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I. Approved diplomas

1. VAT – New EC Sales List Model – Intracommunity call-off stock (“quick fixes”)

Ordinance no. 215/2020 was published in the State Gazette no. 177/2020, on 10.09.2020, approving the new EC Sales List model referred to in article 29 of the VAT Code and article 30 of the Intracommunity Transactions Regime, as well as the respective filling instructions, bearing in mind the new simplification measures (“quick fixes”) for intracommunity call-off stock.

2. PIT and CIT – Possibility of payment in instalments

Order no. 8844-B/2020 was published in the State Gazette no. 179/2020, on 14.09.2020, determining that the Portuguese Tax Authorities must make available to taxpayers the option of paying in instalments, without the need to provide guarantees under the terms of Decree-Law no. 492/88, of December 30, of tax debts on Personal Income Tax (PIT) and Corporate Income Tax (CIT) of equal or less value, respectively, of € 5,000 and € 10,000, regardless of the presentation of a request.

3. Currency devaluation coefficients applicable in 2020

Ordinance no. 220/2020 was published in the State Gazette no. 184/2020, on 21.09.2020, which updates the currency devaluation coefficients to be applied to assets and rights sold during the year 2020.

4. VAT – Change in the rate applicable to electricity supplies in relation to certain levels of consumption and contracted power

Decree-Law No. 74/2020 was published in the State Gazette No. 187/2020, of 24.09.2020, which changes the VAT rate applicable to electricity supplies in relation to certain levels of consumption and contracted power at normal low voltage.



5. Order of Certified Accountants - Short-term fair impediment regime – Tax reporting obligations

Ordinance no. 232/2020 was published in the State Gazette no. 192/2020, of 01.10.2020, establishing the tax reporting obligations that are covered by the short-term fair impediment regime, provided for in article 12-A of the Statute of the Order of Certified Accountants, approved by Decree-Law no. 452/99, of 5 November.

6. Updated coefficient for different types of urban and rural leases – 2021

Notice no.15365/2020 was published in the State Gazette no. 193/2020 of 02.10.2020, which establishes the updated coefficient of the various types of urban and rural leases, to be effective in the calendar year 2021.

7. COVID-19 – Exceptional and transitional regime for reorganizing work and minimizing transmission risks

Decree-Law no. 79-A/2020 was published in the State Gazette no. 192/2020, of 01.10.2020, which establishes an exceptional and transitional regime for reorganizing work and minimizing the risks of transmission of COVID-19 disease infection in the context of work relations.

8. Insurance and reinsurance activity – Legal regime for access and exercise – Partial transposition of Directive (EU) 2019/2177

Decree-Law no. 84/2020 was published in the State Gazette no. 198/2020, of 12.10.2020, which alters the legal regime for access and exercise of insurance and reinsurance activity and partially transposes Directive (EU) 2019/2177.

9. COVID-19 – Exceptional and temporary measures for exemption from payment of Social Security contributions

Ordinance no. 246/2020 was published in the State Gazette no. 203/2020, of 19.10.2020, which defines and regulates the terms and conditions applicable to exceptional and temporary measures of total or partial exemption from the payment of Social Security contributions, provided for in paragraph 4 of the Resolution of the Council of Ministers no. 65/2020, of August 28.

10. VAT – Change in the rate applicable to electricity supplies in relation to certain levels of consumption and contracted power – Regulation

Ordinance no. 247-A/2020 was published in the State Gazette no. 203/2020, of 19.10.2020, regulating the application of Item 2.8 of list II attached to the VAT Code, in compliance with the provisions of article 2 of Decree-Law no. 74/2020, of 24 September.

11. COVID-19 – Extraordinary social protection support for workers in situations of economic and social fragility – Conditions and granting procedures

Ordinance no. 250-B/2020 was published in the State Gazette no. 207/2020, of 23.10.2020, which regulates the conditions and procedures for granting extraordinary social protection support to workers in situations of economic and social fragility and who do not have access to any social protection instrument or mechanism.

II. Doctrinal Records

1. VAT – New simplification rules for intracommunity transactions (“quick fixes”)

Information no. 30225, dated 02.10.2020 was made available, which determines, under the terms of Law no. 49/2020, of 24 August, which transposed Directive (EU) 2018/1910, the conditions for the application of the three measures to simplify the rules applicable to cross-border operations, regarding, namely : *i)* the system of call-off stock in intracommunity supplies, *ii)* chain transactions and, *iii)* clarification of the relevance of the VAT identification number of the acquirer in the context of the application of the exemption in intracommunity supplies.

2. VAT – New EC Sales List Model – Intracommunity call-off stock (“quick fixes”) – Filling instructions

Information no. 30226, dated 02.10.2020, was made available, which discloses the filling instructions for the EC Sales List, referred to in paragraphs i) of paragraph 1 of article 29 of the VAT Code and c) of paragraph 1 of article 23 of the Intracommunity Transactions Regime, in accordance with Ordinance No. 215/2020, of 10 September, which approves the new EC Sales List model.

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3. VAT – e-commerce – Certified invoicing software for VAT registrations – Deadline postponed

Order no. 404/2020-XXII, dated 20.10.2020, was made available, which determines that the obligation defined in article 4 of Decree-Law no. 28/2019 should only apply to foreign taxable persons, when registered for VAT purposes in Portugal, as of July 1, 2021.

4. ATCUD – Deadline postponed

Order no. 412/2020-XXII, dated 23.10.2020, was made available, which determines that the mention of the Single Document Code (ATCUD) in all invoices and other fiscally relevant documents, pursuant to article 4 of Ordinance No. 195/2020, of 13 August, is only mandatory as of January 1, 2022.

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