

NEWSLETTER

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I. Approved diplomas

1. COVID-19 – Sequence rules for the support for maintaining jobs

Decree-Law no. 98/2020 was published in the State Gazette no. 225/2020, on 18.11.2020, which proceeds to the exceptional and temporary alteration of the sequential rules for accessing the support for the maintenance of jobs, namely that the employer who has requested the extraordinary incentive to normalize activity may, exceptionally, until December 31, 2020, withdraw this support and access extraordinary support for the progressive resume of activity, without the need to return the amounts already received in that context.

2. COVID-19 – Subsidies for micro and small businesses operating in sectors particularly affected by the pandemic

Resolution of the Council of Ministers no. 101/2020 was published in the State Gazette no. 227/2020, on 20.11.2020, approving a set of measures aimed at companies in the context of the pandemic COVID-19, such as the direct support in the form of subsidies for micro and small companies operating in sectors particularly affected by the pandemic, as well as support direct to highly exporting industrial companies and to companies which provide specific goods and services of support to cultural, festive, sporting or corporate events, in the form of credit guaranteed by the State, with the possibility of partial conversion into non-repayable loans through maintenance of jobs.

3. COVID-19 – Extraordinary regime for deferring tax and Social Security obligations for November and December 2020

Decree-Law no. 99/2020 was published in the State Gazette no. 227-B/2020, on 22.11.2020, which institutes an extraordinary regime for deferring tax and Social Security



obligations for the months of November and December 2020 was instituted, in the following terms:

- Deferral of VAT payment regarding the VAT Return for the 3rd Quarter 2020: For taxable persons classified as micro, small and medium-sized companies (certified by a statutory auditor or certified accountant), or who have started the activity since January 1, 2019, VAT payment of the 3rd Quarter 2020 can be made:
 - Until November 30th, or
 - In three or six monthly instalments with a value equal to or greater than € 25, without interest.
- Extraordinary deferral of payment of contributions for November and December 2020: For self-employed workers and employers classified as micro, small and medium-sized enterprises, employer's self-employed workers' contributions can be paid in three or six equal and successive instalments, without interest:
 - From July to September 2021;
 - From July to December 2021

This deferral is not subject to a requirement, and employers and independent workers must indicate, in February 2021, in the Social Security website (*Segurança Social Direta*), which of the payment terms they intend to use.

4. COVID-19 – Extraordinary process of turning companies viable

Law no. 75/2020 was published in the State Gazette No. 232/2020, of 27.11.2020, which establishes the extraordinary process of turning companies viable.

5. COVID-19 – Extraordinary support for the progressive resume of activity

Decree-Law no. 101-A/2020 was published in the State Gazette no. 232/2020, of 27.11.2020, which alters the extraordinary support for the progressive resume of activity in companies in a business crisis situation and clarifies the exceptional and temporary regime of justified absences motivated by family assistance.

II. Doctrinal Records

1. Stamp Duty – Patronage Benefit – Extension

Order no. 415/2020-XXII, dated 30.10.2020 was made available, which extends the term, until December 31, 2020, of the applicability of the tax benefits provided for in the Patronage Statute, namely the exclusion of taxation in Stamp Tax to all donations made in favour of some public business entities for later application in combating the COVID-19 pandemic.

2. COVID-19 – Extension of deadlines for tax obligations

Order no. 437/2020-XXII, dated 09.11.2020, was made available, which extends the deadlines for complying with the following tax obligations:

- VAT Return for the periods of September to December 2020, and January to March 2021 of the monthly regime, can be submitted until the 20th of the second month following the transactions (instead of the 10th), and VAT can be paid until the 25th of each month;
- VAT Return for the 3rd and 4th Quarters of 2020 and the 1st Quarter of 2021 can be submitted until the 20th of the second month following the transactions (instead of the 15th), and VAT can be paid until the 25th of each month;
- The obligation of Form 10, regarding the amounts paid to residents in Portugal in 2020, may be fulfilled until February 25th, 2021.

3. DAC 6 – Postponement of the deadline for communication

Order no. 444/2020-XXII, dated 19.11.2020, was made available, which extends, from 1 December 2020 to 15 January 2021, the deadline for the first communication from the intermediary to the relevant taxpayer for the purposes of reporting certain cross-border mechanisms.



4. COVID-19 – VAT - Exemption in the acquisition of goods necessary to combat COVID-19 – Extension of the measure to April 30, 2021

Order no. 450/2020-XXII, dated 27.11.2020, was made available, which determines the extension of the VAT exemption in the acquisition of goods necessary to combat COVID-19 provided for in article 2 of Law no. 13/2020, of May 7, applicable to operations carried out between October 31, 2020 and April 30, 2021.

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