Diário da República, 1st Series

PRESIDENCY OF THE COUNCIL OF MINISTERS

Decree No. 11/2020
of 6 December

Summary: Regulates the implementation of the state of emergency decreed by the President of the Republic.

In the light of the development of the epidemiological situation, the President of the Republic made a declaration of a state of emergency on 6 November, with a limited scope, in a manner proportional and appropriate to the epidemiological situation. Under the terms of the declaration, the state of emergency provided enhanced legal certainty for the measures adopted — or to be adopted — by the competent authorities for the prevention of and response to the COVID-19 disease pandemic, in areas such as freedom of circulation, control of the state of health of individuals, the use of private and social or cooperative sector means of health care, and the summoning of human resources to strengthen screening capacity. In this context, Decree no. 8/2020 of 8 November regulated the state of emergency, focusing on the four abovementioned areas.

The declaration of the state of emergency was renewed by Decree of the President of the Republic No. 59-A/2020 of 20 November for a further period of 15 days, and Decree No. 9/2020 of 21 November was subsequently published, regulating the extension of the state of emergency. Under this decree, it was considered that, since the epidemiological situation is not uniform throughout the national territory, it would be important to adjust the measures according to the situation and the heterogeneity in each municipality, in order to graduate the intensity of the applicable measures according to the level of risk. Four levels have therefore been set: moderate, high, very high and extreme.

On 4 December last, the declaration of a state of emergency was again renewed by Decree of the President of the Republic No. 61-A/2020 of 4 December for an additional period of 15 days. However, in view of the approaching deadline and the fact that the state of emergency will end on 23 December, it is necessary, for reasons of anticipation of communication of the measures applicable during that period, to provide for a period of one month from now, which will end on 7 January 2021.

In this way, the Government establishes, from now on, measures for this whole period of time, without prejudice to the evaluation of the epidemiological situation and the possible renewal of the state of emergency, ensuring greater predictability and allowing citizens to be aware of the rules, in advance, for this end-of-year period which is so important for everyone. It does this, of course, while safeguarding that these measures will only apply if the state of emergency is renewed (and only from that moment on) in terms which allow such restrictions.

The Government is thus proceeding to implement the state of emergency decreed by the President of the Republic, throughout the national mainland territory, in the period between midnight on 9 December and 11:59 P.M. on 23 December 2020, also defining the rules for its possible renewal.

The current rules are essentially maintained in order to ensure stability to the measures taken in the previous fortnight.

However, without prejudice to the above concerning the entry into force of these measures, special rules are already defined for the Christmas and New Year period, to run from midnight on 24 December 2020 until 11:59 P.M. on 7 January 2021, if the declaration of a state of emergency is renewed.

Thus, as regards the rule of circulation ban on public roads currently in force in municipalities at high, very high and extreme risk, it does not apply on 23 December, in the period after 11 P.M.
until 5 A.M. of the following day, for those who are travelling, nor on the 24 and 25 December until 2 A.M. of the following day.

On 26 December, such a ban will be in force, in the municipalities where it applies, from 11 P.M.. The circulation ban will also not apply between 5 A.M. on 31 December 2020 and 2 A.M. on 1 January 2021.

The general duty to stay home, in force in municipalities at a high, very high and extreme risk, is not applicable on 23 to 26 December 2020 inclusive, as well as between 5 A.M. on 31 December 2020 and 2 A.M. on 1 January 2021.

Less restrictive schedules are also set for the culture and catering sector, regardless of location, on 24 and 25 December.

In addition, on 26 December, catering and similar establishments may operate, for the purpose of serving meals in the establishment itself, until 3:30 P.M..

On 31 December, catering and similar establishments, regardless of their location, may close by 1 A.M..

On 1 January, in municipalities at very high and extreme risk, catering and similar establishments can only operate until 3:30 P.M. for meals service in the establishment.

There is also a circulation ban between municipalities from midnight on 31 December 2020 until 5 A.M. on 4 January 2021, except for reasons of health, extreme urgency or other specifically provided for.

Finally, it is forbidden to hold public festivities or celebrations open to the public of a non-religious nature on 31 December 2020 and 1 January 2021.

Thus:

Under the terms of subparagraph g) of article 199 of the Constitution, the Government decrees:

CHAPTER I

Object and scope of application

Article 1

Object

This decree regulates the extension of the state of emergency carried out by Decree of the President of the Republic No. 61-A/2020 of 4 December and the possible renewal thereof.

Article 2

Territorial application

1 — The provisions of Articles 3 to 31 and 44 to 62 shall apply to the entire national territory.

2 — The provisions of Articles 32 and 33 apply only to municipalities considered by the Directorate-General for Health (DGS) to be at moderate risk, which are listed in Annex I to this decree and of which it forms an integral part (municipalities at moderate risk).

3 — The provisions of Articles 34 to 38 apply only to municipalities considered by the DGS to be at high risk, which are listed in Annex II to this decree and of which it forms an integral part (municipalities at high risk).

4 — The provisions of Articles 39 to 43 apply only to municipalities considered by the DGS to be at very high and extreme risk, which are listed respectively in Annexes III and IV to this decree and of which they form an integral part (municipalities at very high risk and municipalities at extreme risk respectively).
CHAPTER II

General provisions applicable to the whole of the mainland national territory

SECTION I

Health and public health measures

Article 3

Compulsory confinement

1 – The following are placed in mandatory confinement, in a healthcare establishment, at home or, if this is not possible, in another place defined by the competent authorities:

a) Patients with COVID-19 and those infected with SARS-CoV-2;

b) Citizens for whom the health authority or other health professionals have determined active surveillance.

2 — Health authorities report to the security forces and services of the place of residence on the implementation of the mandatory confinement measures.

3 — According to the evaluation of the epidemiological situation and the specific risk, the regional health administration and the department of public health with territorial jurisdiction, citizens subject to compulsory confinement may be accompanied for the provision of social and health needs, through joint visits by the municipal civil protection, the municipal social action services, the social action services of the Instituto da Segurança Social, I.P. (Social Security Institute), or others with the same powers, the public health authorities, the care units and the security forces.

Article 4

Use of masks and visors

1 — The use of masks or visors is mandatory for access to or stay in workplaces whenever the physical distance recommended by the health authorities proves impracticable.

2 — The obligation set out in the preceding paragraph shall not apply to workers when they are carrying out their work in an office, room or equivalent which has no other occupants or when impermeable physical barriers for separation and protection between workers are used.

3 — The provisions of Article 13-B of Decree-Law No. 10-A/2020 of 13 March, in its current wording, shall apply, with the necessary adaptations, to the situations envisaged in this article.

Article 5

Body temperature control

1 — Body temperature measurements may be taken by non-invasive means in controlling access to the workplace, to public services or institutions, to educational, teaching and vocational training establishments, to commercial, cultural or sporting venues, to means of transport, to health establishments, to prisons or educational centres, and in residential structures.

2 — The persons referred to in the following article may also be subject to body temperature measurements.
3 — The provisions of the preceding paragraphs are without prejudice to the right to individual data protection, and it is expressly prohibited to record the body temperature associated with the identity of the person, unless expressly authorised by the person.

4 — Measurements may be carried out by a worker in the service of the entity in charge of the site or establishment, always using equipment suitable for this purpose, which may not contain any memory or make records of the measurements made, and no physical contact with the person concerned shall be admissible.

5 — The worker referred to in the preceding paragraph shall be subject to professional secrecy.

6 — Access to the sites mentioned in paragraph 1 may be denied whenever the person concerned:

a) Refuse the measurement of body temperature;

b) Present a result higher than the normal body temperature, considering as such a body temperature of 38°C or higher, as defined by the DGS.

7 — In cases where the provisions of subparagraph b) above determine that a worker cannot have access to his/her workplace, the absence shall be considered justified.

Article 6

Performing diagnostic tests for SARS-CoV-2

1 – The following may be subject to diagnostic tests for SARS-CoV-2:

a) Workers, users and visitors of health care establishments;

b) Workers, students and visitors of education, vocational education and training and higher education institutions;

c) Workers, users and visitors of residential care facilities for the elderly, integrated continuous care units of the National Network of Integrated Continuous Care and other responses dedicated to older people, as well as to children, young people and people with disabilities;

d) In the field of prison services and educational centres:

i) Prison inmates and young people in educational centres;

ii) Anyone wishing to visit the persons referred to in the previous subparagraph;

iii) Workers of the Prison Guard Corps and other employees of the General-Directorate for Reinsertion and Prison Services (DGRSP), in the exercise of their functions and for the purpose of access to and permanence in the workplace;

iv) Prison Guard Corps workers, whenever, in the exercise of their functions and because of them, they access or remain in other places for the purpose of transporting and guarding prisoners, namely in health units and courts;

v) Service providers and users of facilities related to the activity of DGRSP, whenever they wish to enter or stay in them;

f) Anyone wishing to enter or leave the national mainland territory or the Autonomous Regions by air or sea;

2 — The performance of diagnostic tests for SARS-CoV-2 referred to in the preceding paragraph shall be determined by the head of the respective establishment or service, except in the case of subparagraph d), where it shall be carried out by order of the Director General for Reinsertion and Prison Services, in accordance with the terms determined by orientation of the DGS.

3 — In cases where the results of tests carried out under the previous paragraphs make it impossible for a worker to have access to his/her workplace, the absence shall be considered justified.
Article 7

Exceptional suspension of termination of employment contracts

1 — During the period of validity of the state of emergency, the possibility of terminating the employment contracts of health professionals linked to the services and establishments integrated in the National Health Service (SNS) is temporarily and exceptionally suspended, irrespective of the legal nature of the bond, either at the initiative of the employer or at the initiative of the worker, except in exceptional situations duly justified and authorised by the governing body.

2 — The provisions of the preceding paragraph shall also apply to the termination of individual employment contracts by revocation or termination and to the termination of employment contracts in public functions by agreement, termination or dismissal at the request of the employee.

Article 8

Exceptional measures in the field of public health

1 — The member of the Government responsible for health, with the faculty of delegation, determines:

a) The exception measures applicable to the assistance activity carried out by the services and establishments integrated in the SNS;

b) Exceptional measures for the use of services and establishments integrated into the SNS with private and social sector health care providers;

c) The mobilisation of employees of services and establishments forming part of the SNS who request termination by termination of their employment contracts or employment contracts in public functions;

d) The necessary measures and the practice of acts which, in the specific sphere of their action, are appropriate and indispensable to guarantee normal conditions in the production, transport, distribution and supply of goods and services essential to the activity of the health sector.

2 — Without prejudice to the previous paragraph, the member of the Government responsible for health, in liaison with the member of the Government responsible for economic affairs, with the power of delegation, shall determine the necessary exceptional measures, in the context of the emergency situation caused by the epidemiological situation of the SARS-CoV-2 virus, as well as for the treatment of the COVID-19 disease, in relation to:

a) Circuits for medicinal products and medical devices, as well as for other health products, biocides, disinfectant solutions, alcohol and personal protective equipment, namely in the context of manufacture, distribution, marketing, importation, purchase, discharge and prescription, with a view to ensuring and enabling the supply, availability and access of the necessary products to health units, patients and other users;

b) Access to medicines, particularly experimental medicines, used in the context of the pandemic and continuity of clinical trials.

3 — The determinations referred to in the preceding paragraphs shall be established preferably by agreement or, in the absence thereof, unilaterally subject to fair compensation, in accordance with the terms of the Decree-Law. No. 637/74, of 20 November, in its current wording.
Article 9

Strengthening the screening capacity

1 — In order to strengthen the screening capacity of public health authorities and services, the mobilisation of human resources, in particular for epidemiological surveys, for the screening of contacts of patients with COVID-19 and for the follow-up of persons under active surveillance can be determined.

2 — For the purposes of the previous paragraph, epidemiological surveys, the screening of contacts of patients with COVID-19 and the follow-up of persons under active surveillance may be carried out by anyone other than a health professional.

3 — The human resources referred to in paragraph 1 may be workers of public entities of the direct and indirect administration of the State and of local authorities, private, social or cooperative, regardless of professional ties or functional content, who are in prophylactic isolation, who are in the situation foreseen in article 25-A of Decree-Law no. 10-A/2020, of 13 March, in its current wording, or who are personnel of civil protection agents or teachers with no teaching component.

4 — For the purposes of the previous paragraphs, the assignment of workers to the functions referred to in the previous paragraphs shall take into account the respective training and functional content, and the mobilisation and coordination of persons shall be effected by order of the members of the Government responsible for the areas of Public Administration, labour, social solidarity, health and the sector area to which the worker is assigned, when applicable.

5 — During the period in which workers are mobilized and provided that working conditions are guaranteed that ensure in particular the protection of their health, they may be required to perform duties at a place and time other than their usual one.

6 — The provisions of the previous paragraph, as far as the workplace is concerned, do not apply to workers in prophylactic isolation.

7 — Workers who are mobilised under the provisions of this Article shall retain all the rights inherent to their place of origin and shall not be disadvantaged in their career development.

Article 10

Armed Forces participation in epidemiological surveys and contact tracing of patients

The Armed Forces participate in the conduct of epidemiological surveys and contact screening of patients with COVID-19, this participation being coordinated by their command.

SECTION II

Measures applicable to activities, establishments, services, undertakings or the like

Article 11

Closed facilities and establishments

The facilities and establishments referred to in Annex V to this decree, of which it forms an integral part, are closed, without prejudice to the provisions of the following article.

Article 12

Authorisations or suspensions in special cases

The member of the Government responsible for the economic area may, by order:

a) Allow the opening of certain premises or establishments referred to in Annex V to this decree or the exercise of other retail trade or service activities which will prove essential as the present situation develops;
b) Impose the exercise of some of the retail trade or service activities if they prove essential to ensure a regular supply of essential goods to the population;

c) Determine the exercise of retail trade by wholesale establishments, if it proves essential to maintain the continuity of product distribution chains to consumers;

d) Limit or suspend the exercise of retail or service activities if the exercise of such activities becomes unnecessary or undesirable in the context of fighting the contagion and spread of the virus.

Article 13

General provisions applicable to places open to the public

1 — In all places open to the public the following rules of occupation, stay and physical distance must be observed:

a) The allocation of spaces accessible to the public must observe the rule of maximum indicative occupancy of 0.05 people per square metre of area, with the exception of service establishments;

b) The adoption of measures ensuring a minimum distance of 2 m between persons, unless special provision or guidance from the DGS in a different direction;

c) The guarantee that people remain within the space only for the strict time necessary;

d) The prohibition of waiting times for services within service establishments, with economic operators having to resort preferably to prior appointment mechanisms;

e) The definition, wherever possible, of specific entry and exit circuits in the education and training systems, using separate doors;

f) The compliance with other rules defined by DGS;

g) The encouragement of the adoption of codes of conduct approved for certain sectors of activity or establishments, as long as they do not contradict the provisions of this decree.

2 — For the purposes of subparagraph a) above:

a) “Area” means the area intended for the public, including areas for collective use or circulation, with the exception of areas reserved for car parking;

b) The maximum occupancy limits per person do not include officials and service providers performing duties in the spaces concerned.

3 — Managers or owners of spaces and establishments should make every effort to:

a) Carry out a balanced management of public access, in accordance with the provisions of the previous paragraphs;

b) Monitor refusals of public access in order to avoid concentration of people at the entrance of spaces or establishments.

4 — Without prejudice to the preceding paragraphs, places open to the public shall observe the following hygiene rules:

a) The provision of the service and the transport of products must be carried out in compliance with the hygiene rules laid down by the DGS;

b) Economic operators must promote the daily and periodic cleaning and disinfection of spaces, equipment, objects and surfaces with which there is intense contact;
c) Economic operators must promote the cleaning and disinfection, before and after each use or interaction by the customer, of automatic payment terminals (APMs), equipment, objects, surfaces, products and utensils in direct contact with customers;

d) Economic operators should promote the containment, as far as possible, by workers or customers, of touching products or equipment as well as unpackaged items, which should preferably be handled and dispensed with by workers;

e) In clothing and similar retail establishments, control of access to fitting rooms should be promoted, safeguarding, where applicable, the partial inactivation of some of these spaces, in order to guarantee minimum safety distances, and ensuring the disinfection of displays, clothing supports and hangers after each use, as well as the availability of skin disinfectant solutions for use by customers;

f) In the case of exchanges, returns or take-back of used products, operators shall, where possible, ensure that they are cleaned and disinfected before they are made available for sale again, unless this is not possible or compromises the quality of the products;

g) Other rules defined in codes of conduct approved for certain sectors of activity or establishments, as long as they do not contradict the provisions of this decree.

5 — Without prejudice to the provisions of the preceding paragraphs, retail or service establishments shall endeavour to ensure that skin disinfectant solutions are made available to workers and customers at all entrances and exits of establishments, as well as within them, in suitable locations for disinfection according to the organisation of each space.

6 — Retail establishments or service providers should give priority to health professionals, security, protection and rescue forces and personnel of the Armed Forces and social support services, without prejudice to the application of the provisions of Decree-Law No. 58/2016 of 29 August, in its current wording.

7 — Retail establishments or service providers must clearly and visibly inform customers of the rules of maximum occupancy, operation, access, priority, care, hygiene, safety and other relevant rules applicable to each establishment.

8 — Retail establishments or service establishments may close at certain times of the day to clean and disinfect their functions, products or premises.

Article 14

Exceptions to the rules on suspension of activities, closure of establishments and operation hours

No rules set out in this decree shall apply to the suspension of activities, closure of establishments or opening, operating or closing hours of establishments, regardless of their location or area:

a) To establishments where medical services or other health and social support services are provided, namely hospitals, doctor’s offices and clinics, dental clinics and emergency medical-veterinary care centres, as well as the support services integrated in these locations;

b) To pharmacies;

c) To educational, teaching and vocational training establishments, nurseries, centres of occupational activities and spaces where full-time school responses are provided, which include activities of animation and support to the family, the family support component and curricular enrichment;

d) To tourist and local accommodation establishments, as well as establishments guaranteeing student accommodation;

e) To establishments providing funeral and related activities;
f) To service activities, namely service areas and petrol stations, which integrate motorways;

g) To petrol stations not covered by the previous subparagraph, as well as to electric vehicle charging stations, exclusively for the part relating to the sale of fuel to the public and the supply or charging of vehicles within the framework of journeys permitted in each territory;

h) To establishments providing hire services for goods vehicles without a driver (rent-a-car) and passenger vehicles without a driver (rent-a-car);

i) Establishments within airports situated on mainland national territory after passenger security checks.

Article 15

Opening hours

1 — Without prejudice to the following paragraph and to paragraph 3, only establishments which have never closed under previous measures relating to COVID-19 disease may open to the public before 10 A.M., considering in particular those listed in Annex II of Decree No. 2-C/2020 of 17 April.

2 — Apart from the above, hairdressing salons, barbershops, beauty salons, restaurants and the like, cafeterias, tea houses and the like, driving schools and vehicle technical inspection centres, as well as sports facilities, are excluded.

3 — The opening hours of establishments may be fixed by the mayor of the territory with the assent of the local health authority and the security forces.

Article 16

Catering and similar

1 — Without prejudice to the more restrictive special rules applicable to catering or similar establishments depending on the municipality in which they are located, their operation is permitted only if the following conditions are met:

a) Compliance with the instructions specifically drawn up for this purpose by the DGS;

b) Occupancy within the establishment is limited to 50% of its capacity, as defined in Article 133 of the annex to Decree-Law No. 10/2015 of 16 January, in its current wording, or, alternatively, waterproof physical barriers are used to separate customers facing each other and there is a gap of 1.5 m between tables;

c) From midnight, public access is excluded for new admissions;

d) Close until 1 A.M.;

e) The use of advance booking mechanisms in order to avoid waiting situations for service in establishments as well as outside;

f) Groups of more than six persons are not allowed to stay, unless they belong to the same household.

2 — The specific operation hours applicable to catering or similar establishments shall be those resulting from the special arrangements applicable to them according to the municipality in which they are located, in accordance with Articles 32, 36 and 41, as applicable.

3 — Until 8 P.M. on business days, in restaurants, cafés, pastry shops or similar establishments located within a radius of 300 m from an educational establishment, primary or secondary, or an institution of higher education, the stay of groups of more than four persons is not allowed, unless they belong to the same household.
4 — Occupation or service on esplanades is only permitted provided that the provisions in Article 18(3) and (4) are complied with and that the DGS guidelines for the catering sector are complied with, with the necessary adaptations.

5 — In the areas of food and beverage consumption (food-courts) of commercial premises, groups of more than four people are not allowed to stay, unless they belong to the same household, and provision must be made for the organisation of the space in such a way as to avoid crowding and to comply, mutatis mutandis, with the DGS guidelines for the catering sector.

6 — Catering and similar establishments which intend to maintain their activity, in whole or in part, for the purpose of cooking for consumption outside the establishment or takeaway, directly or through an intermediary, are exempted from a licence for cooking for consumption outside the establishment or takeaway, and may, with their consent, require their employees to take part in their activities, even if it is not covered by their employment contracts.

Article 17

Bars and other beverages establishments

1 — The bars, other beverages establishments without a show and beverages establishments with dance space remain closed by means of Decree-Law No. 10-A/2020 of 13 March in its current wording.

2 — Notwithstanding the provisions of the preceding paragraph and without prejudice to more restrictive special rules applicable according to the municipality in which they are located, bars, other beverages establishments without a show and beverages establishments with dance space may operate subject to the rules established in this decree for cafes or pastry shops, without the need to change their classification of economic activity, provided that:

a) They comply with the rules and guidelines in force and those specifically drawn up by DGS for these establishments;

b) Dance or similar spaces are not used for this purpose and must remain unusable or, alternatively, be occupied with tables intended for customers.

Article 18

Sales and consumption of alcoholic beverages

1 — The sale of alcoholic beverages is prohibited in service areas or at petrol stations and, from 8 P.M., in retail establishments, including supermarkets and hypermarkets.

2 — For home deliveries, directly or through an intermediary, as well as for the quality of sale through the provision of meals or packaged products at the door of the establishment or at the wicket (take-away), it is not possible to provide alcoholic beverages from 8 P.M. onwards.

3 — The consumption of alcoholic beverages is prohibited in open-air spaces with public access and on public roads, except in the outdoor spaces of catering and beverages establishments duly licensed for this purpose.

4 — In the period after 8 P.M., the exception provided for in the final part of the previous paragraph admits only the consumption of alcoholic beverages as part of the meal service.
Article 19

Private vehicles with more than five seats

Private vehicles with a capacity of more than five seats may only circulate, unless all the occupants are in the same household, with two thirds of their capacity, and the occupants must wear a mask or visor, with the exceptions provided for in Article 13-B of Decree-Law No. 10-A/2020 of 13 March in its current wording.

Article 20

Funerals

1 — The holding of funerals is subject to the adoption of organisational measures to ensure that there are no crowds and that safety distances are controlled, in particular the setting of a maximum attendance limit to be determined by the local authority exercising the management powers of its cemetery.

2 — The limit fixed in accordance with the preceding paragraph may not result in the impossibility of attending the funeral of a spouse or unmarried partner, ascendants, descendants, relatives or the like.

Article 21

Rules applicable to air traffic and airports

1 — Passengers on flights from countries to be defined by order of the members of the Government responsible for foreign affairs, national defence, internal administration, health and civil aviation must present, at the time of departure, proof of molecular testing by RT-PCR to screen for infection by SARS-CoV-2 with a negative result, carried out in the 72 hours before the time of boarding, failing which they will be denied boarding on the aircraft and entry into national territory.

2 — National citizens and foreign nationals legally resident in Portugal, as well as diplomatic staff placed in Portugal who, exceptionally, do not have proof of molecular testing by RT-PCR to screen for infection by SARS-CoV-2 with a negative result, in accordance with the previous paragraph, on arrival, before entering national territory, shall be sent by the competent authorities to carry out the said test at their own expense.

3 — The laboratory tests referred to in the previous number are carried out and made available by ANA — Aeroportos de Portugal, S.A. (ANA, S.A.), through health professionals qualified for this purpose, and this service may be subcontracted.

4 — ANA, S.A., must carry out, at the Portuguese international airports it manages, the infrared body temperature screening for all passengers arriving on national territory.

5 — Passengers who are found to have a body temperature of 38°C or above, as defined by the DGS, as part of the screening referred to in the previous paragraph, should be sent immediately to a space suitable for the repeated measurement of the body temperature, and those passengers should, if the assessment of the situation so warrants, be subjected to molecular testing by RT-PCR to screen for infection by SARS-CoV-2.

6 — Infrared body temperature monitoring and body temperature measurement are the responsibility of ANA, S.A., the latter to be carried out by health professionals duly qualified for this purpose, even if subcontracted.

7 — Passengers referred to in paragraph 2, as well as those who are found to have a body temperature of 38°C or above and who perform the molecular RT-PCR test for SARS-CoV-2 infection, may leave the airport provided they have their contact details and remain in mandatory isolation and confinement at their destination in accordance with Article 3 until the result of the said laboratory test has been received.
Article 22

Public services

1 — Public services maintain, preferably by appointment, the continuity and strengthening of service provision through digital means and contact centres with citizens and businesses.

2 — To the services covered by this article, the provisions of paragraphs 4 and 6 of Article 13 shall apply.

3 — Without prejudice to the face-to-face service previously scheduled in the services, the priority service provided for in Decree-Law No. 58/2016, of 29 August, shall be carried out without necessity of prior appointment.

Article 23

Measures in the framework of residential structures

1 — The special duty to protect residents in residential structures for the elderly, integrated continuous care units of the National Network of Integrated Continuous Care and other responses dedicated to the elderly, as well as to children, young people and people with disabilities, in view of their special vulnerability, involves:

   a) Self-monitoring of disease symptoms by professionals assigned to these units and regular screening in order to early identify suspicious cases;

   b) Testing all residents if a positive case is detected in any contact;

   c) Placing on standby municipal or other equipment for possible accommodation of people in prophylactic isolation or in a situation of confirmed infection with COVID-19 disease who, in view of the clinical evaluation, do not determine the need for hospitalisation;

   d) Permission to carry out visits to users, in compliance with the rules defined by the DGS, and assessment of the need to suspend them for a limited time and according to the specific epidemiological situation, in liaison with the local health authority;

   e) Clinical follow-up of COVID-19 patients whose clinical situation does not require hospitalisation by health professionals of the health centre groupings of the respective intervention area in articulation with the hospital of the reference area;

   f) Operationalization of district based rapid intervention teams composed of direct action auxiliaries, general services assistants, nurses, psychologists and doctors with immediate action capacity in the containment and stabilization of outbreaks of the COVID-19 disease;

   g) Maintenance of follow-up by multidisciplinary teams.

2 — The SARS-CoV-2 diagnostic tests are carried out by a health professional and the results are communicated globally to the person in charge of the technical management of the residential structure, who is subject to professional confidentiality.

3 — In the event of positive cases being detected, the entity responsible for analysing the results communicates the identification of those targeted directly to the person in charge of the technical management of the residential structure, as soon as possible, in order to prevent contagion.

4 — For the purposes of paragraphs 2 and 3, personal data may be processed to the extent strictly necessary.

Article 24

Fairs and markets

1 — Without prejudice to the more restrictive special rules, in particular on fairs or markets, which take precedence over the special arrangements which shall apply to them on account of the municipality in which they are held, the operation of fairs and markets shall be permitted in accordance with the rules laid down in the following paragraphs.
2 — For each fairground or market there must be a contingency plan for the COVID-19 exhibition site, drawn up by the competent local authority or approved by it, in the case of fairs and markets operated by private entities.

3 — The contingency plan should be made available on the municipality’s website.

4 — The reopening of fairs and markets should be preceded by awareness raising actions by all fair traders and traders concerning the implementation of the contingency plan and other prevention measures and hygiene practices.

5 — The contingency plan referred to in the previous paragraphs must, mutatis mutandis, comply with the rules in force for retail establishments as regards occupation, residence and physical distance, as well as the guidelines of the DGS, providing for a set of procedures to prevent and control infection, in particular:

a) Operational procedure on actions to be taken in case of illness, symptoms or contact with a confirmed case of COVID-19 disease;

b) Implementation of the mandatory use of a mask or visor by trade fairs and traders and customers;

c) Measures of appropriate physical distance between places of sale, where possible;

d) Hygiene measures, in particular the obligation to comply with hand hygiene measures and respiratory etiquette, as well as the mandatory provision of skin disinfectant solutions, at the entrances and exits of fairgrounds and markets, in sanitary facilities, where available, as well as the respective provision by fairgrounds and traders, where possible;

e) Measures of access and circulation relating in particular to:

i) The management of access to fairgrounds and markets, in order to avoid excessive concentration both inside and at the entrance to them;

ii) The rules applicable to the exhibition of goods, preferably and where possible, through the requirement of their availability by fairs and traders;

iii) Procedures for the disinfection of vehicles and goods, adjusted to the typology of the products and the organisation of the circulation;

f) Cleaning and sanitation plan for fairgrounds and markets;

g) Protocol for the collection and treatment of waste.

6 — Without prejudice to the powers of other authorities, the municipal supervisory authorities, the municipal police and the bodies responsible for the management of fairgrounds and markets, as appropriate, may contribute to monitoring compliance with the procedures contained in the contingency plans.

Article 25

Personal care and aesthetics

1 — The operation of the following is allowed:

a) Hairdressing salons, barbershops and beauty institutes, by appointment;

b) Tattoo and body piercing establishments or studios, by appointment;

c) Massage activity in beauty salons, gyms or similar establishments.

2 — These establishments must comply with the guidelines laid down by the DGS.
SECTION III

Measures applicable to events, structures, establishments or other cultural, sporting, recreational or social activities

Article 26

Events of a cultural nature

1 — Without prejudice to the more restrictive special rules, in particular as regards limitations on the holding of events in accordance with the special arrangements applicable to them by reason of the municipality in which they take place, the operation of cinemas, the showing of films and the like, as well as cultural events held in the open air, is permitted, provided that:

a) The rules set out in Article 13(1) to (4) and (6) are complied with mutatis mutandis;

b) In cinemas or movie theatres, the capacity is reduced, where necessary, observing the following guidelines:

i) The seats occupied should be in a break between spectators who are not adjacent to each other, and in the next row the seats occupied should be in a different position;

ii) In the case of a stage, a minimum distance of at least 2 m between the mouth of the scene and the front row of spectators is guaranteed;

c) In open-air venues, the capacity of the venue should observe the following guidelines:

i) The seats are identified in advance, with a physical distance of 1.5 m between spectators;

ii) In the case of a stage, a minimum distance of at least 2 m between the mouth of the scene and the front row of spectators is guaranteed;

d) The service stations are preferably equipped with protective barriers;

e) Preference should be given to purchasing tickets electronically in advance and making payments contactless, through TPA transactions or other similar methods;

f) Where applicable, the maintenance of ventilation systems is ensured, ensuring that they operate without air recirculation;

g) Adapt the scenes and live shows whenever possible in order to minimise physical contact between those involved and maintain the recommended distance;

h) The rules defined by DGS are observed.

2 — In the areas of cafeteria, restaurant and beverage consumption of this cultural equipment, the guidelines defined by the DGS for the catering sector must be respected, and the consumption of food or beverages inside the theatres or cinema exhibition establishments is not allowed.

Article 27

Museums, monuments, palaces, archaeological sites and the like

1 — Without prejudice to more restrictive special rules concerning museums, monuments, palaces, archaeological sites and the like, which prevail on the basis of the special scheme applicable to them by virtue of the municipality in which they are located, their operation is permitted, provided that they:

a) Observe the rules and instructions defined by the DGS concerning physical distance, hand and surface hygiene, respiratory etiquette and the rules laid down in this decree;
b) Ensure that each visitor has a minimum area of 20 m² and a minimum distance of 2 m for anyone other than their cohabitant;

c) Ensure, where possible:

i) The creation of a single direction of visit;

ii) The limitation of access to visit small spaces;

iii) The elimination or, if not possible, the reduction of visitor crossings in bottlenecks;

d) Minimize the areas of concentration of visitors with interactive equipment, preferably deactivating the equipment that requires or invites visitors to interact;

e) Preferably, in the case of group visits, use pre-booking mechanisms in order to avoid waiting situations to enter the cultural equipment as well as the outer space;

f) Put up barriers in the areas of ticket office and public attendance;

g) Prioritise transactions by TPA.

2 — The admission of visitors must be free or by group of persons, depending on the area of the cultural equipment, and the maximum indicative occupancy rule of 0.05 persons per square metre of area must be ensured.

3 — Occupation or service on esplanades of cultural facilities is only permitted provided that the guidelines of the DGS for the catering sector are respected, with the necessary adaptations.

4 — In the areas of restaurant and beverage consumption of cultural equipment, the guidelines defined by DGS for the catering sector should be respected.

Article 28

Activities in an academic context

It is forbidden, in the academic field of higher education, to celebrate, as well as to engage in playful or recreational activities.

Article 29

Physical and sporting activity

1 — Physical and sporting activity, in a training context and in a competitive context, including the 1st Professional Football League, may be carried out without an audience and in compliance with the guidelines set by DGS.

2 — The sports facilities in operation are governed by the provisions of paragraph 4 of article 13, with the necessary adaptations.

3 — For the purposes of this decree, the training and competitive activities of athletes of national teams of Olympic and Paralympic disciplines, of the 1st national division or of the corresponding competitive level of all disciplines of the male and female senior categories, as well as of the international championships, are assimilated to professional activities.

Article 30

Gambling establishments

Without prejudice to the existence of more restrictive special rules relating to the establishment of games of chance and which take precedence according to the special arrangements applicable to
them by reason of the municipality where they are held, the operation of gambling establishments, casinos, bingos or similar is permitted, provided that they:

   a) Observe the guidelines and instructions defined specifically for this purpose by the DGS concerning physical distance, hand and surface hygiene, respiratory etiquette and the rules laid down in this decree;
   
   b) Have a specific protocol for cleaning and sanitizing the gaming areas;
   
   c) Prioritise transactions by TPA;
   
   d) Ensure that visitors who do not wish to consume or play do not stay inside the establishments.

Article 31

Amusement equipment and the like

1 — Without prejudice to the more restrictive special rules, in particular with regard to restrictions on amusement equipment and the like which prevail according to the special scheme applicable to them by reason of the municipality in which they are held, the operation of amusement equipment and the like shall be permitted, provided that they:

   a) Observe the guidelines and instructions laid down by the DGS in a specific technical opinion drawn up for the purpose;
   
   b) Ensure that the local authority has the legal authority to operate at a location that is authorised by law;
   
   c) Comply with the provisions of Decree-Law No. 268/2009 of 29 September and other applicable legislation.

2 — Amusement and similar equipment authorised to operate under the previous paragraph are subject to supervision by the competent authorities under this decree.

CHAPTER III

Special provisions for municipalities at moderate risk

Article 32

Closing times in municipalities at moderate risk

1 — The establishments close between 8 P.M. and 11 P.M., and the closing time, within this interval, may be set by the mayor of the municipality with territorial jurisdiction, subject to a favourable opinion from the local health authority and the security forces.

2 — The maintenance of the closing times in force on the date of the entry into force of the decree exempts the order provided for in the preceding paragraph if these times fall within the interval between 8 P.M. and 11 P.M..

3 — From the provisions in paragraph 1 are excluded:

   a) Catering establishments exclusively for the purpose of serving meals in the establishment itself, which close by 1 A.M., with public access excluded for new admissions at midnight;
   
   b) Catering and similar establishments, exclusively for the purposes of cooking intended for consumption outside the establishment through home delivery, directly or through an intermediary;
   
   c) Catering and similar establishments, exclusively for the purpose of cooking activity intended for consumption outside the establishment, through the provision of meals or packaged products at the door of the establishment or at the post office (take-away), access to the inside of the establishment not being allowed by the public and collection only being allowed until 1 A.M.;
   
   d) Cultural establishments and sports facilities.
4 — The provisions of this Article shall be without prejudice to acts adopted by mayors of municipal municipalities under Article 5(9) of the scheme attached to Council of Ministers Resolution No. 55-A/2020 of 31 July, as amended by Council of Ministers Resolutions No. 63-A/2020 of 14 August and 68-A/2020 of 28 August, provided that they are compatible with the limits set out in the preceding paragraph.

Article 33

Events in municipalities at moderate risk

1 — Celebrations and other events involving a crowd of more than six people are not permitted, unless they belong to the same household, without prejudice to the following paragraph.

2 — DGS defines the specific guidelines for the following events:

   a) Religious ceremonies, including community celebrations;

   b) Family events, including weddings and christenings, no more than 50 people are allowed;

   c) Events of a corporate nature held in spaces suitable for the purpose, such as congress halls, tourist establishments, venues suitable for holding trade fairs and open-air spaces.

3 — Marriages and weddings scheduled to take place by 11:59 P.M. on 14 October 2020, to be confirmed by a declaration of the celebrating entity, are excluded from the limit provided for in paragraph b) of the preceding paragraph.

4 — In the absence of guidance from the DGS, the organisers of the events shall comply, mutatis mutandis, with the provisions of Article 13(1) to (5), as well as Article 16 as regards the catering spaces involved, and participants shall wear a mask or visor in the enclosed spaces.

5 — Events with public outside of establishments intended for this purpose must be preceded by risk assessment by the local health authorities to determine the feasibility and conditions for holding them.

6 — In duly justified situations, the members of the Government responsible for the areas of internal administration and health may jointly authorise other celebrations or events, defining the respective terms.

7 — Notwithstanding the provisions of the previous paragraphs, events of a cultural nature are permitted, in accordance with Article 26.

CHAPTER IV

Special provisions for municipalities at high risk

Article 34

Circulation ban on public roads in municipalities at high risk

1 — Every day, between 11 P.M. and 5 A.M., citizens may only circulate on public spaces and streets, or on private spaces and streets equivalent to public roads, in the following situations:

   a) Travel for professional or similar duties, as attested by a declaration:

      i) Issued by the employer or equivalent;

      ii) Issued by the self-employed, sole proprietors or members of statutory bodies;

      iii) Of honour, in the case of agricultural, livestock and fisheries workers;
b) Travel in the exercise of their duties or because of them, without the need for a declaration issued by their employer or equivalent:

i) Of health professionals and other workers in health and social support institutions;

ii) Of civil protection agents, security forces and services, military, militarized and civilian personnel of the Armed Forces and inspectors of the Authority for Food and Economic Safety;

iii) Of holders of sovereign bodies, leaders of the social partners and of the political parties represented in the Assembly of the Republic and persons bearing a legal laissez-passer;

iv) Of ministers of worship, through accreditation by the competent organs of the respective church or religious community, in accordance with Article 15(2) of Law No. 16/2001 of 22 June, in its current wording;

v) Of staff of diplomatic missions, consular posts and international organisations based in Portugal, provided they are related to the performance of official duties;

c) Travel for health reasons, such as purchasing products in pharmacies or obtaining health care and transporting people to whom such care or donation should be given;

d) Emergency shelter for victims of domestic violence or trafficking in human beings, as well as for children and young people at risk, by application of a measure decreed by a judicial authority or a Commission for the Protection of Children and Young People, in residential or family homes;

e) Travel to care for vulnerable people, disabled people, children, parents, elderly or dependents;

f) Travel for other compelling family reasons, such as the fulfilment of shared parental responsibilities, as determined by agreement between the holders of the same or the competent court;

$g$) Displacements of veterinary doctors, animal keepers for urgent veterinary care, caretakers of colonies recognised by the municipalities, volunteers from zoophilic associations with dependent animals who need to go to animal shelters and animal rescue teams for urgent assistance;

h) Travel necessary to exercise freedom of the press;

i) Short pedestrian journeys, for the purpose of enjoying moments outdoors, unaccompanied or in the company of members of the same household living together;

j) Short pet walks;

k) Travelling by minors and their accompanying persons to schools, nurseries and leisure activities, as well as travelling by students to institutions of higher education or other schools;

l) For other reasons of force majeure or urgent necessity, provided that they can be shown to be unavoidable and are duly justified;

m) Return home in the context of travel permitted under the preceding paragraphs.

2 — Except for the purposes provided for in subparagraphs i) and j) of the preceding paragraph, the circulation of private vehicles on public roads, including refuelling at petrol stations, shall be permitted in the situations referred to in the preceding paragraph.

3 — The journeys permitted under the above paragraphs must preferably be accompanied and must comply with the recommendations and orders determined by the health authorities and the security forces and services, in particular those relating to the distances to be observed between persons.
Article 35

General duty to stay home in municipalities at high risk

1 — Daily, outside the period between 11 P.M. and 5 A.M., citizens must refrain from travelling on public spaces and streets, as well as on private spaces and streets similar to public roads, and remain at their homes, except for journeys self-restrained by this decree.

2 — For the purposes of the preceding paragraph, journeys authorised shall be deemed to be those for which the following are intended:

a) Purchase of goods and services;
b) Travel for the purpose of performing professional activities or similar;
c) Job search or response to a job offer;
d) Travel for health reasons, including to obtain health care and transport of persons to whom such care or donation should be given;
e) Emergency shelter for victims of domestic violence or trafficking in human beings, as well as for children and young people at risk, by application of a measure decreed by a judicial authority or the National Commission for the Promotion of the Rights and Protection of Children and Young People, in residential or family homes;
f) Travel to care for vulnerable people, disabled people, children, parents, elderly or dependents;
g) Travelling by children and their companions to school, day care and leisure activities;
h) Disabled people's travel to occupational activity centres;
i) Travelling for access to cultural facilities;
j) Short trips for physical activity;
k) Travels for participation in social volunteering actions;
l) Travel for other compelling family reasons, such as the fulfilment of shared parental responsibilities, as determined by agreement between the holders of the same or the competent court;
m) Travel to schools;
n) Travel for visits, where authorised, or delivery of essential goods to disabled persons or persons deprived of freedom of circulation;
o) Travels for participation in procedural acts before judicial entities or in acts within the competence of notaries, lawyers, solicitors or registry officers;
p) Short pet walks and for feeding animals;
q) Displacements of veterinary doctors, animal keepers for urgent veterinary care, caretakers of colonies recognized by the municipalities, volunteers from zoophilic associations with dependent animals who need to go to the animal shelters and municipal veterinary services for the collection and care of animals;
r) Travel by persons carrying a laissez-passer, issued in accordance with the law, in the exercise of their functions or because of them;
s) Travel by staff of diplomatic missions, consular offices and international organisations located in Portugal, provided that they are related to the performance of official duties;
t) Travel necessary to exercise freedom of the press;
u) Travel to attend training courses and take tests and exams;
v) Visits to users of residential structures for the elderly and for people with disabilities, integrated continuous care units of the National Network of Integrated Care and other responses dedicated to elderly people, as well as activities carried out in day centres;
w) Travelling to post offices, bank branches and insurance brokers or insurance companies;
x) Travels necessary to leave mainland national territory;
y) Travel to other activities of a similar nature or for other reasons of force majeure or urgent necessity, provided they are duly justified;
z) Return home in connection with the journeys mentioned in the preceding paragraphs.

3 — Private vehicles may travel on public roads to carry out the activities mentioned in the previous paragraph or for refuelling at petrol stations as part of the journeys mentioned in the previous paragraphs.

4 — For the purposes of this decree, the activity of high-performance athletes or athletes who are part of national teams and their coaches, as well as sports coaches of the adapted sport, is assimilated to professional activity.

5 — Without prejudice to the previous paragraphs, all travel must comply with the recommendations and orders determined by the health authorities and the security forces and services, in particular those relating to the distances to be observed between persons.

Article 36

Closing times in municipalities at high risk

1 — In municipalities at high risk, all retail and service establishments as well as those in commercial complexes close by 10 P.M. except:

a) Catering establishments, for the sole purpose of serving meals in the establishment itself, which close by 10:30 P.M.;
b) Catering and similar establishments, exclusively for the purposes of cooking intended for consumption outside the establishment through home delivery, directly or through an intermediary;
c) Catering and similar establishments, exclusively for the purpose of cooking intended for consumption outside the establishment, through the provision of meals or packaged products at the door of the establishment or at the post office (take-away), access to the inside of the establishment not being permitted by the public and collection only being allowed until 10:30 P.M.;
d) The cultural facilities, which must close by 10:30 P.M.;
e) The sports facilities, when intended for federated sports, must close by 10:30 P.M..

2 — The closing time may be reduced by the competent mayor, with the assent of the local health authority and the security forces.

Article 37

Fairs and markets in municipalities at high risk

Fairs and markets are prohibited unless authorised by the mayor of the municipality with territorial jurisdiction, safety conditions are met and the guidelines laid down by the DGS are observed.

Article 38

Events in municipalities at high risk

1 — In municipalities at high risk, celebrations and other events involving more than six people are not allowed unless they belong to the same household.
2 — Without prejudice to compliance with the guidelines laid down by the DGS, the provisions of the preceding paragraph shall not apply to:

a) Religious ceremonies;
b) Cultural performances or events of a scientific nature provided that, in both situations, they take place in fixed venues of performances of an artistic nature or in institutions of higher education.

CHAPTER V

Special provisions for municipalities at very high and extreme risk

Article 39

Circulation ban on public roads in municipalities at very high and extreme risk

In municipalities at very high and extreme risk, the circulation ban on public spaces and streets, or on private spaces and streets equivalent to public roads, as provided for in Article 34, applies.

Article 40

Circulation ban on public roads on Saturdays and Sundays

1 — On Saturdays and Sundays, between 1 P.M. and 5 A.M., citizens may only circulate on public spaces and streets or on private spaces and streets equivalent to public roads for the situations listed in Article 34.

2 — For the purposes of the previous paragraph, in municipalities at very high and extreme risk the exceptions provided for in Article 34 shall apply, and travel to grocery shops and supermarkets and to other food and hygiene establishments, for persons and animals, which are in operation in accordance with Article 43(2)(a) shall also be permitted.

3 — In establishments where food and hygiene products are sold, for humans and animals, other products may also be purchased which are not available there.

Article 41

Measures applicable to municipalities at very high and extreme risk

In municipalities at very high and extreme risk, the following applies:

a) As regards closing times, the provisions of Article 36;
b) As regards fairs and markets, the provisions of Article 37;
c) With regard to events, the provisions of Article 38.

Article 42

General duty to stay home in municipalities at very high and extreme risk

Daily, outside the period between 11 P.M. and 5 A.M., as well as on Saturdays and Sundays, in the period between 5 A.M. and 1 P.M., citizens shall abstain from circulating in public spaces and streets, as well as in private spaces and streets equipped with public roads, and remain at their respective homes, except for circulations authorized by this decree, and the provisions of Article 35 shall apply.
Article 43

Retail and service activities in municipalities at very high and extreme risk on Saturdays and Sundays

1 — On Saturdays and Sundays, outside the period between 8 A.M. and 1 P.M., activities are suspended in retail and service establishments located in the municipalities of very high and extreme risk.

2 — The following are excepted from the provisions of the previous paragraph:

a) Food and natural or dietary, health and hygiene retail establishments with a sales or service area of 200 m² or less, with an independent entrance from the public highway;

b) Catering and similar establishments, irrespective of the area of sale or service provision, provided that it is exclusively for the purpose of cooking activity intended for consumption outside the establishment through home delivery, directly or through an intermediary;

c) Catering and similar establishments, exclusively for the purpose of cooking intended for consumption outside the establishment, for the provision of meals or packaged products at the door of the establishment or at the post office (take-away), access to the inside of the establishment being not permitted by the public and collection is only permitted until 10:30 P.M.;

d) Petrol stations not covered by Article 14, exclusively for the purposes of selling fuels to the public and of fuelling vehicles and in so far as in the context of journeys authorised under Article 34, applicable under Article 39.

3 — Establishments which usual opening hours are before 8 A.M. may continue to do so.

4 — For the purposes of the preceding paragraph, the usual opening hours are considered to be those practiced until the entry into force of Decree No. 8/2020 of 8 November.

5 — In the case of establishments authorised to operate for 24 hours a day, they are authorised to reopen from 8 A.M..

CHAPTER VI

Possible renewal

SECTION I

General arrangement

Article 44

Possible renewal of the state of emergency

If the state of emergency is renewed from midnight on 24 December, the validity of this decree, with the amendments set out in this chapter, shall be extended unless the epidemiological situation requires a mid-term review on 18 December.

SECTION II

Provisions applicable during the Christmas period

Article 45

Circulation ban from 23 to 26 December

1 — The circulation ban on public roads provided for in Articles 34 and 39:

a) Do not apply on 23 December 2020, in the period after 11 P.M. and until 5 A.M. the following day, for persons travelling;
b) Do not apply on 24 and 25 December 2020, in the period after 11 P.M. and until 2 A.M. the following day.

2 — On 26 December, the ban on driving on public roads on Saturdays referred to in Article 40(1), in the municipalities where it applies, begins at 11 P.M..

Article 46

General duty to stay home from 23 to 26 December

The general duty to stay home provided for in Articles 35 and 42 shall not apply from 23 to 26 December 2020 inclusive.

Article 47

Operation hours in the culture and catering sector from 24 to 26 December

1 — On 24 and 25 December, cultural equipment and restocking establishments may operate in accordance with the provisions of Article 32(3), regardless of their location.

2 — On 26 December 2020, for the purposes of Article 43, in the municipalities where it applies, catering and similar establishments may operate, with regard to the service of meals in the establishment itself, until 3:30 P.M..

SECTION III

Provisions applicable during the New Year period

Article 48

Limitation on circulation between municipalities between 31 December and 4 January

Citizens may not circulate outside the municipality of their domicile during the period between midnight on 31 December 2020 and 5 A.M. on 4 January 2021, subject to the exceptions provided for in Article 11 of Decree No. 9/2020 of 21 November, which shall apply mutatis mutandis.

Article 49

Circulation ban on 31 December and 1 January

The circulation ban on public roads provided for in Articles 34 and 39 shall not apply between 5 A.M. on 31 December 2020 and 2 A.M. on 1 January 2021.

Article 50

General duty to stay home on 31 December and 1 January

The general duty to stay home provided for in Articles 35 and 42 shall not apply between 5 A.M. on 31 December 2020 and 2 A.M. on 1 January 2021.

Article 51

Operation hours in the catering sector on 31 December and 1 January

1 — On 31 December, catering and similar establishments may operate in accordance with the provisions of Article 32(3)(a) to (c), irrespective of their location.
2 — On 1 January 2021, in the municipalities at very high and extreme risk, the catering and similar establishments must close their own meals service by 3:30 P.M..

Article 52

Parties and celebrations on 31 December and 1 January

On 31 December 2020 and 1 January 2021, parties or celebrations open to the public or non-religious are prohibited.

CHAPTER VII

Final provisions

Article 53

Implementation at local level

The Prime Minister shall appoint the authorities coordinating the implementation of the declaration of a state of emergency on the national mainland territory, at local level, in accordance with Article 20(4) of Law No. 44/86 of 30 September, in its current wording.

Article 54

National defence

The member of the Government responsible for the area of national defence ensures the articulation with the other government areas in order to guarantee, when necessary, the commitment of people, means, goods and services of national defence necessary to comply with the provisions of this decree.

Article 55

Internal Administration

The member of the Government responsible for the area of internal administration, with the faculty of delegation:

a) Determines the closure of road and rail traffic on grounds of public health, safety or fluidity of traffic or the restriction of certain types of vehicle in the cases and during the periods referred to in Articles 34, 39 and 40;

b) Coordinates a structure for monitoring the state of emergency, composed of representatives of the government areas defined by order of the Prime Minister and representatives of the security forces and services and of the National Emergency and Civil Protection Authority, for the purpose of monitoring and producing regular information on the situation, namely for the purpose of complying with the provisions of paragraph 1 of Article 28 of Law No. 44/86 of 30 September, in its current wording, without prejudice to the powers of the Secretary General of the Internal Security System and the Coordinating Office for Security.

Article 56

Civil protection

In the field of civil protection, and without prejudice to the provisions of Law No. 44/86 of 30 September in its current wording:

a) The political and institutional coordination structures which are territorially competent are activated, which assess, according to the evolution of the situation, the possible activation of civil protection emergency plans of the respective territorial level;
b) A permanent assessment of the operational situation and the corresponding adequacy of the special alert status of the Integrated System of Protection and Rescue Operations is carried out.

Article 57

Regulations and implementing acts

1 — The regulations and administrative acts implementing this decree are effective by merely notifying the addressee, electronically or otherwise, and the other applicable formalities are dispensed with, being considered as notified on the same day.

2 — For the purposes of the preceding paragraph, notification to the addressees shall be deemed to have taken place by publishing the regulations or acts on the website of the authorities responsible for adopting the regulations or performing the acts.

Article 58

Supervision

1 — It is up to the security forces and services and the municipal police to monitor compliance with the provisions of this decree, by:

a) Raising awareness in the community of the ban on travel which is not justified;

b) The recommendation to all citizens to comply with the general duty to stay home;

c) The closure of establishments and the cessation of activities provided for in Annex V of this decree, without prejudice to the provisions of Article 12;

d) Comination and participation for a crime of disobedience, under the terms and for the purposes of subparagraph b) of paragraph 1 of Article 348 of the Criminal Code, as well as Article 7 of Law No. 44/86, of 30 September, for violation of the provisions of Articles 11, 34, 39, 40, 43 and 45 to 52 of this decree, as well as compulsory confinement by those subject to it under the terms of Article 3;

e) The monitoring and follow-up of people in prophylactic isolation or in active surveillance;

f) Advice on not concentrating people on the public highway and on dispersal of concentrations of more than six people, unless they belong to the same household or are the result of exceptions provided for in this decree.

2 — The parish councils shall cooperate in complying with the provisions of this decree, in particular in advising against the concentration of people on the public highway, in recommending to all citizens that they comply with the circulation ban which is not justified, in raising awareness of the general duty to stay home and in signposting to the security forces and services, as well as to the municipal police, establishments to be closed.

3 — The security forces and services constantly report to the member of the Government responsible for the area of internal administration the degree of compliance by the population with the provisions of this decree, so that the Government can assess the situation at any time.

Article 59

General duty of cooperation

During the period of validity of the state of emergency, citizens and other entities have the duty to cooperate, in particular in complying with orders or instructions from the bodies and agents responsible for security, civil protection and public health, in the prompt satisfaction of requests for quotes that are justifiably made to them by the competent authorities for the implementation of the measures contained in this decree.
Article 60

Safeguarding measures

The provisions of this decree are without prejudice to the existence and validity of other measures that have already been adopted to fight the COVID-19 disease, taking precedence over them when they provide otherwise.

Article 61

Transitional provision

The scheme of circulation ban between municipalities provided for in Article 11 of Decree No. 9/2020 of 21 November is extended until 5 A.M. on 9 December.

Article 62

Entry into force and duration

1 — This decree, with the exception of chapter VI, shall be in force between midnight on 9 December and 11:59 P.M. on 23 December, without prejudice to the provisions of the following paragraph.

2 — Without prejudice to the provisions of the final part of Article 44, the validity of the rules of this decree, including those contained in Chapter VI, between midnight on 24 December 2020 and 11:59 P.M. on 7 January 2021, depends on the renewal of the declaration of the state of emergency for that period, allowing, at least, the same restrictions.

Seen and approved by the Council of Ministers on 4 December 2020. — António Luís Santos da Costa.

Signed on 5 December 2020.

Publish.

The President of the Republic, MARCELO REBELO DE SOUSA.

Ratified on 5 December 2020.

The Prime Minister, António Luís Santos da Costa.

ANNEX I

(referred to in Article 2(2))

Municipalities at moderate risk

1 — Abrantes.
2 — Albufeira.
3 — Alcoutim.
4 — Aljezur.
5 — Aljustrel.
6 — Almodôvar.
7 — Alpiarça.
8 — Alvalade.
9 — Alvito.
10 — Avis.
11 — Batalha.
12 — Beja.
13 — Benavente.
14 — Bombarral.
15 — Borba.
16 — Cadaval.
17 — Caldas da Rainha.
18 — Campo Maior.
19 — Carrazeda de Ansiães.
20 — Castanheira de Pera.
21 — Castro Marim.
22 — Castro Verde.
23 — Constância.
24 — Coruche.
25 — Estremoz.
26 — Ferreira do Alentejo.
27 — Ferreira do Zêzere.
28 — Figueiró dos Vinhos.
29 — Fornos de Algodres.
30 — Góis.
31 — Idanha-a-Nova.
32 — Loulé.
33 — Lourinhã.
34 — Mangualde.
35 — Moimenta da Beira.
36 — Monforte.
37 — Mora.
38 — Moura.
39 — Nazaré.
40 — Óbidos.
41 — Olhão.
42 — Oliveira de Frades.
43 — Ourique.
44 — Paredes de Coura.
45 — Penedo Grande.
46 — Ponte de Sor.
47 — Portel.
48 — Porto de Mós.
49 — Proença-a-Nova.
50 — Redondo.
51 — Ribeira de Pena.
52 — Salvaterra de Magos.
53 — Santa Comba Dão.
54 — Santiago do Cacém.
55 — São Brás de Alportel.
56 — São João da Pesqueira.
57 — Sernancelhe.
58 — Sertã.
59 — Silves.
60 — Sousel.
61 — Tábua.
62 — Tabuaço.
63 — Tavira.
64 — Tondela.
65 — Vendas Novas.
66 — Viana do Alentejo.
67 — Vidigueira.
68 — Vila de Rei.
69 — Vila Flor.
70 — Vila Nova da Barquinha.
71 — Vila Real de Santo António.
72 — Vila Velha de Ródão.
73 — Vila Viçosa.

ANNEX II

(referred to in Article 2(3))

Municipalities at high risk

1 — Alcácer do Sal.
2 — Alcobaça.
3 — Alcochete.
4 — Alenquer.
5 — Almeida.
6 — Almeirim.
7 — Alter do Chão.
8 — Amadora.
9 — Arganil.
10 — Arraiolos.
11 — Arronches.
12 — Arruda dos Vinhos.
13 — Barrancos.
14 — Carregal do Sal.
15 — Cascais.
16 — Castelo de Vide.
17 — Castro Daire.
18 — Celorico da Beira.
19 — Coimbra.
20 — Elvas.
21 — Entroncamento.
22 — Évora.
23 — Faro.
24 — Figueira de Castelo Rodrigo.
25 — Fronteira.
26 — Fundão.
27 — Golegã.
28 — Grândola.
29 — Lagos.
30 — Lagoa.
31 — Leiria.
32 — Lousã.
33 — Mação.
34 — Mafra.
35 — Marinha Grande.
36 — Mealhada.
37 — Mêda.
38 — Melgaço.
39 — Mértola.
40 — Mesão Frio.
41 — Mira.
42 — Mogadouro.
43 — Moita.
44 — Monção.
45 — Monchique.
46 — Montalegre.
47 — Montemor-o-Novo.
48 — Montemor-o-Velho.
49 — Montijo.
50 — Nelas.
51 — Odivelas.
52 — Oeiras.
53 — Oleiros.
54 — Oliveira do Hospital.
55 — Ourém.
56 — Palmela.
57 — Penalva do Castelo.
58 — Penamacor.
59 — Penedono.
60 — Penela.
61 — Peniche.
62 — Peso da Régua.
63 — Pinhel.
64 — Pombal.
65 — Portimão.
66 — Odemira.
67 — Reguengos de Monsaraz.
68 — Resende.
69 — Sabrosa.
70 — Santa Marta de Penaguião.
71 — Santarém.
72 — São Pedro do Sul.
73 — Seixal.
74 — Sesimbra.
75 — Setúbal.
76 — Sever do Vouga.
77 — Sines.
78 — Sintra.
79 — Sobral de Monte Agraço.
80 — Terras de Bouro.
81 — Tomar.
82 — Torres Novas.
83 — Trancoso.
84 — Vagos.
85 — Vila do Bispo.
86 — Vila Franca de Xira.
87 — Vila Nova de Cerveira.
88 — Vila Nova de Foz Côa.
89 — Vila Nova de Poiares.
90 — Vinhais.
91 — Viseu.
92 — Vouzela.
ANNEX III

(referred to in Article 2(4))

Municipalities at very high risk

1 — Águeda.
2 — Aguiar da Beira.
3 — Alandroal.
4 — Albergaria -a -Velha.
5 — Alcanena.
6 — Alfândega da Fé.
7 — Aljó.
8 — Almada.
9 — Amarante.
10 — Amares.
11 — Anadia.
12 — Ansião.
13 — Arcos de Valdevez.
14 — Arouca.
15 — Aveiro.
16 — Azambuja.
17 — Baião.
18 — Barreiro.
19 — Boticas.
20 — Bragança.
21 — Caminha.
22 — Cantanhede.
23 — Cartaxo.
24 — Castelo Branco.
25 — Castelo de Paiva.
26 — Celorico de Basto.
27 — Chamusca.
28 — Cinfães.
29 — Condeixa -a -Nova.
30 — Covilhã.
31 — Crato.
32 — Cuba.
33 — Estarreja.
34 — Figueira da Foz.
35 — Gondomar.
36 — Gouveia.
37 — Guarda.
38 — Ílhavo.
39 — Lamego.
40 — Lisbon.
41 — Loures.
42 — Maia.
43 — Manteigas.
44 — Marco de Canaveses.
45 — Matosinhos.
46 — Miranda do Douro.
47 — Mirandela.
48 — Mortágua.
49 — Mourão.
50 — Murça.
51 — Murta.
52 — Oliveira de Azeméis.
53 — Oliveira do Bairro.
54 — Ovar.
55 — Pampilhosa da Serra.
56 — Penacova.
57 — Ponte da Barca.
58 — Ponte de Lima.
59 — Porto.
60 — Rio Maior.
61 — Sabugal.
62 — Sardoal.
63 — Sátão.
64 — Seia.
65 — Serpa.
66 — Soure.
67 — Tarouca.
68 — Torre de Moncorvo.
69 — Torres Vedras.
70 — Vale de Cambra.
71 — Valongo.
72 — Viana do Castelo.
73 — Vila Nova de Gaia.
74 — Vila Nova de Paiva.
75 — Vila Pouca de Aguiar.
76 — Vila Real.
77 — Vila Verde.
78 — Vimioso.

ANNEX IV

(referred to in Article 2(4))

Municipalities at extreme risk

1 — Armamar.
2 — Barcelos.
3 — Belmonte.
4 — Braga.
5 — Cabeceiras de Basto.
6 — Chaves.
7 — Espinho.
8 — Esposende.
9 — Fafe.
10 — Felgueiras.
11 — Freixo de Espada à Cinta.
12 — Gavião.
13 — Guimarães.
14 — Lousada.
15 — Macedo de Cavaleiros.
16 — Marvão.
17 — Miranda do Corvo.
18 — Mondim de Basto.
19 — Nisa.
20 — Paços de Ferreira.
21 — Paredes.
22 — Penafiel.
23 — Portalegre.
24 — Póvoa de Lanhoso.
25 — Póvoa de Varzim.
26 — Santa Maria da Feira.
27 — Santo Tirso.
28 — São João da Madeira.
29 — Trofa.
30 — Valença.
31 — Valpaços.
32 — Vieira do Minho.
33 — Vila do Conde.
34 — Vila Nova de Famalicão.
35 — Vizela.

ANNEX V

[referred to in Articles 11, 12(a) and 58(1)(c)]

1 — Recreational, leisure and entertainment activities:

Dance or party rooms;
Amusement parks and playgrounds and the like for children;
Other sites or installations similar to the above, without prejudice to Article 31

2 — Activities in open spaces, public spaces and roads, or private spaces and roads similar to public roads:

Popular parades and festivals or folkloric or other manifestations of any nature.

3 — Gaming and gambling spaces:

Games halls and recreation rooms.

4 — Beverage establishments:

Beverages and similar establishments, with or without dance spaces, except for those integrated in tourist and local accommodation establishments, for the provision of services excluded exclusively for their guests, without prejudice to the provisions of Article 17.

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