



**COVID-19**

**Legal Insights no. 72**

Adapt Tourism Programme

On October 15<sup>th</sup>, 2021, it was published in “Diário da República” the Legislative Order no. 24/2021, which establishes a business recovery support mechanism, designated by Adapt Tourism Programme (“*Programa Adaptar Turismo*”) (hereinafter referred to as “Programme”), as a response to the needs of the tourism sector following the impact of the epidemiological situation caused by the COVID-19 disease.

This Programme aims to support tourism companies in their efforts to adapt and invest in their establishments, allowing them to adjust their work organisation methods and relationships with clients and suppliers to post-COVID-19 context.

From the analysis of the Diploma, we highlight the following:

The beneficiaries of the Programme are micro, small and medium sized companies, of any nature and under any legal form, that meet the following criteria:

- Develop projects included in the economic activities within the tourism economic activity code (“*CAE*”), listed in the annex to the legislative order;
- The respective establishments are duly licensed and registered before the National Tourism Register (“*Registo Nacional do Turismo*”), when applicable;
- Present a positive net situation as of December 31<sup>st</sup>, 2019, or at the date of the application, except for companies that started their activity after January 1<sup>st</sup>, 2019 and for sole entrepreneurs without organized accounting;
- Have an updated electronic certification proving the SME (“*PME*”) status;
- Have or ensure that their tax and social security situation is in order before the tax authorities, social security and *Turismo de Portugal, I.P.*;
- Have not been subject to an administrative penalty within the two years prior to the application date, for the use of undeclared labour force legally subject to the payment of taxes and social security contributions;
- Have not been condemned, within the two years prior to the application date, by a final judgement, for an illegal dismissal of pregnant women or women who have recently given birth or are breastfeeding;
- Have not been subject to insolvency proceedings, under the terms of the Portuguese Insolvency and Corporate Recovery Code, nor have benefited from rescue or restructuring aid.

Regarding the projects, they shall meet the following criteria:

- Aim to carry out an investment with a value in eligible expenditure of no less than € 2,500 (two thousand and five hundred euros);

- Have a maximum execution period of 12 months, starting from the notification date of the favourable decision, and ending on December 31<sup>st</sup>, 2022;
- Have not started at the date of the application submission;
- Be in conformity with the applicable legal and regulatory provisions.

The following are considered eligible expenses:

- The costs with the requalification, modernisation, extension and adaptation of existing spaces, which respond to the needs arising from the COVID-19 disease;
- The purchase and installation of automatic payment devices including self-check-in and self-check-out systems;
- The initial costs associated with the hosting of applications/software relevant to the post-pandemic context of the disease COVID-19;
- The acquisition of specialised consultancy services for adapting the business model to the new challenges of the post COVID-19 pandemic context, as well as for the requalification, modernisation and expansion of facilities, associated with the investments mentioned in the previous paragraphs;
- Expenses related to the intervention of licensed accountants or statutory auditors, in the validation of expenditure of payment requests, up to the value of 15% of the investment amount and with a limit of € 2,500 (two thousand and five hundred euros).

The supports are granted in the form of a non-refundable grant.

The incentive is of 75% of eligible expenses, with a maximum amount of € 15,000 euros (fifteen thousand euros) per company, which may be increased to 85%, with a maximum limit of € 20,000 euros (twenty thousand euros) per company, for companies that were administratively closed during the COVID-19 pandemic and with the main activity falling under CAE 56302, 56304, 56305, 93210 and 93294.

Applications shall be submitted via the electronic form available on the *Turismo de Portugal, I.P.* website and shall be decided by the same entity within 10 working days.

To access the full text please click [here](#).

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