



COVID-19

Legal Insights no. 58

Law no. 13-B/2021, of April 5th

It was published, in the Portugal Official Gazette, the Law no. 13-B/2021, of April 5th, that entered into force on April 6th. This law corresponds to the ninth amendment to Law no. 1-A/2020, of 19 March, establishing the termination of the regime for the suspension of procedural deadlines. Law no. 13-B/2021 revokes articles 6-B and 6-C of Law no. 1-A/2020, which stipulated the said suspension regime.

In general, the changes introduced by Law no. 13-B/2021 favored the attendance of all parties in a large part of procedural acts, maintaining the suspension of some acts to be practiced in insolvency and executive proceedings.

Thus, according to article 6-E, no. 2, a) and b) of the law in question, all trial hearings, as well as any other audiences for questioning witnesses, are preferably held in person, but, only when this is not possible, the said article admits its realization by means of distance communication.

Regarding criminal procedures, the law in question, in its article 6-E, no. 4, determines that the accused's statement, as well as the statements of the assistant and civil parties, will always be carried out in person. As for other measures that require the physical presence of the parties, the said law requires that those audiences are held in person, admitting its realization by means of distance communication only when that isn't possible.

Additionally, as already mentioned, article 6-E, no. 7 of the law in question maintained the suspension regime regarding certain acts in insolvency and executive process, namely the presentation of the debtor to the insolvency or the limitation and prescription periods related to these processes.

Finally, regarding administrative deadlines, article 4 of the law in question determines that the deadlines that, before the suspension, would expire during the period of the said suspension, will only expire in the twentieth business day of May.

To access to the complete text of Law no. 13-B/2021, of April 5th, please click on the following link: <https://dre.pt/web/guest/home/-/dre/160893638/details/maximized>

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