



COVID-19

Legal Insights no. 27

Decree-Law No. 17/2020, of April 23rd

Decree-Law No. 17/2020, of April 23rd, foresees exceptional and temporary measures regarding tourism, taking into consideration the Covid-19 pandemic.

On April 23rd, 2020, Decree-Law No. 17/2020 was published in the Portuguese Official Gazette, which foresees the application of temporary and exceptional measures regarding tourism, taking into consideration the Covid-19 pandemic.

Concerning **travels organized by travel and tourism agencies**, set out between March 13th, 2020 and September 30th, 2020, which are not carried out or cancelled due to the outbreak of Covid-19 pandemic, travelers may choose:

- i. Issuance of a transferable voucher of equal value, valid until December 31st, 2021; or
- ii. Rescheduling the travel until December 31st, 2021.

In case the voucher is not used by December 31st, 2021, or the rescheduling is not made by that date, the traveler has, from December 31st, 2021, 14 days to request the reimbursement.

Moreover, the non-performance attributable to travel and tourism agencies of the obligations set forth in the present Decree-Law, allows travelers to activate the travel and tourism guarantee fund under the terms of [Decree-Law No. 17/2018, of March 8th](#).

In addition, the Decree-Law under analysis also allows travelers who are unemployed to request, until September 30th, 2020, the reimbursement of the entire amount spent. This reimbursement must be made within 14 days.

In regard to the **reservations of accommodation services in tourist developments and local accommodation establishments**, located in Portugal, for the period from March 13th, 2020 and September 30th, 2020, the provisions of this Decree-Law are similar to those explained above.

In effect, if the reservation is made directly by the guest or through an online platforms for a date of said period are not made or are canceled, in the form of non-reimbursement of the amounts paid, the guest may choose:

- i. Issuance of a transferable voucher of equal value, valid until December 31st, 2021; or
- ii. Rescheduling the travel until December 31st, 2021, by agreement between the guest and the tourist development or local accommodation establishment.

In case the voucher is not used by December 31st, 2021, the guest is entitled to a reimbursement, to be made within 14 days.

If the rescheduling is not made by the above mentioned date due to lack of an agreement between the service provider and the guest, the latter has, from December 31st, 2021, 14 days to request a reimbursement of the amount paid at the time of the reservation's cancellation.

Additionally, it is envisaged that until September 30th, 2020, guests who are unemployed will be able to request the reimbursement of the full amount spent. Said reimbursement must be made within 14 days.

The present Decree-Law also regulates the **relations between travel and tourism agencies, entertainment tour operators and tourist developments and local accommodation establishments.**

Similarly, and in this regard, the diploma applies to the reservations, regarding the period from March 13th, to September 30th, 2020, of accommodation services in tourist developments and local accommodation establishments located in Portugal that are carried out by Portuguese or international travel tourism agencies or entertainment tour operators functioning in Portugal.

In the event of the above mentioned reservations are not made or are cancelled in the form of non-refund of the amounts paid, it is foreseen, to those operators, the right to a credit of the unused amount for the settlement of costs with any other services' reservation with the same tourist development or local accommodation establishment.

In case these entities are unable to make a new reservation by December 31st, 2021, the amount corresponding to the deposit must be returned within 14 days after this date.

This Decree-Law takes effect at midnight of April 24th, 2020.

To access the full text of Decree-Law 17/2020, of April 23rd, please click [here](#).

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