



COVID-19

Legal Insights no. 71

Amendment of exceptional and temporary
measures under the context of pandemic disease
COVID-19

Following the positive evolution of the epidemiological situation of COVID-19, on September 29th, 2021, Decree-Law No. 78-A/2021 was published in *Diário da República*, determining the amendment and adjustment of the set of exceptional and temporary measures in force. From the analysis of the decree, we highlight the following points:

- The use of masks is now mandatory only for access or permanence in certain closed environments, but this obligation may be waived when its use is incompatible with the nature of the activities that citizens are performing;
- The annual verification of self-employed declarations for 2021, together with the annual review of declarations for 2019 and 2020, will now take place in 2022;
- The validity of the COVID-19 sickness benefit is extended until December 31st, 2021;
- The Citizen's Shops and the Civil Identification Department - Lisbon Branch - Campus de Justiça will now provide uninterrupted service on Saturdays, between 9 a.m. and 10 p.m.;
- It is also determined that new textbooks will be distributed free of charge to students in the 1st cycle of basic education, exempting the return of textbooks distributed for this cycle in the previous school year due to non-use; it is also determined the delimitation of the availability of digital licenses until the 2021/2022 school year, in order to assess the effectiveness of the measure in the framework of the development and generalization of the dematerialization of educational resources.

On September 29th, 2021, the Resolution of the Council of Ministers No. 135-A/2021 was published in *Diário da República*, with the purpose of lifting a series of measures that have been in effect in the fight against the pandemic of the disease COVID-19.

In this sense, the aforementioned Resolution settled the following measures:

- Elimination of the recommendation to adopt a telework regime, without prejudice to maintaining the rules of staggered timetabling;
- Alteration of the testing regime, namely by eliminating the provision regarding testing in workplaces with 150 or more employees;
- Elimination of limitations on the sale and consumption of alcohol, and bars and discotheques may resume their activities, although access to these places will depend on the presentation of a COVID Digital Certificate from the European Union (EU);
- Commercial establishments and certain events and celebrations no longer have limitations on manning and opening hours, as well as catering and similar establishments no longer have limits on the number of people per group, and the need to present an EU COVID Digital Certificate or

negative result test for access to catering and similar establishments and tourist or local accommodation establishments is also eliminated;

- Elimination of the need to present a COVID EU Digital Certificate or negative result test in order to participate in group classes in gyms and fitness centres, as well as to access gambling establishments, casinos, bingos or similar establishments and spas or similar establishments.

The Council of Ministers Resolution also declares, following the epidemiological situation of COVID-19, an alert situation throughout the national territory until 11:59 pm on October 31st, 2021.

The Decree-Law No. 78-A/2021, of September 29th entered into force on September 30th, 2021, and the Resolution of the Council of Ministers No. 135-A/2021, of September 29th enters into force on October 1st, 2021.

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

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