PORTUGAL

Population: 10.016.000 (Portuguese and African minority)

Language: Portuguese

Density: 110 people per km²

Religion: Catholic

Main cities: Lisbon (capital and seat of government, population 2,069,000), Porto (pop. 1,562,000), Braga (pop. 708,000), Setïbal (pop. 658,000) Coimbra (pop. 436,000)

Currency: Euro

Portugal is a parliamentary republic, with the President of the Republic being the head of state. The President is elected with a direct universal suffrage for a term of five years. The government consists of the Council of Ministers, headed by the Prime Minister. The Prime Minister is politically accountable to the President and the Parliament. The legislation is founded on the Constitution of the democratic regime and the legislative power is exercised by the 250 seat Parliament.

The country's economy strongly depends on farming. Three quarters of the annual production is exported. The main products are cereals and wine, oil, pulse and vegetables. Portugal is the top exporter of cork in Europe. The textile industry, fishery and tourism in the southernmost regions (Algarve) also play a significant role in the country's economy.

In 1986 Portugal became a member of the European Union.

Quality of life

- *housing*

Rented apartments in cities and the main tourist destinations remain expensive compared to the average Portuguese salary. Significant help is given by employers who either provide free housing or subsidise the housing expense of their employees.

The cost of renting an apartment varies depending on the area, the quality of construction and the number of rooms. For example, an apartment with 1 bedroom costs anything between 500 € and 1,000 € per month whereas an apartment with 4 bedrooms will cost between 1,250 € and 1,500 € per month. The cost of buying a 100 m^2 house in Lisbon costs between 150,000 € and 230,000 €.

Lease periods are seldom shorter than 6 months whereas a guarantee of one monthly rent is usually paid. Due to the inadequacy of apartments in big cities, it is usually easier and less expensive to find apartments in the suburbs, which are usually well served by the mass transport systems.

To find a house in the big cities, one can search classified ads published in nation-wide newspapers such as: *«Diário de Notícias», «Público», «Diário de Notícias», «Correio da Manhã», «Jornal de Notícias».* You can also search the local newspapers, if you are looking for a house in the small cities. Specialized newspapers with classifieds only are also available for house-searching *«Jornal Ocasião» (http://www.ocasiao.pt).* False ads are not rare. For this reason, it is always a good idea to ask if you must pay a fee before visiting the apartment; and refrain of doing so if the answer is affirmative. One of the most trustworthy newspapers is the *«Mediador Autorizado»*

If you are planning to buy land in Portugal, you should pay a visit to the website of the Lisbon Association of Land Owners - *Associação Lisbonense de Proprietários (http://www.alp.pt), or the National Housing Institute - Instituto Nacional de Habitação - INH (http://www.inh.pt)*

- ***learning the language***

Speaking the local language is mandatory to access the local employment market, unless you are going to be staying in the country temporarily, or you will be working in the tourism industry.

The main institutions, recognized by the State, to learn Portuguese are:

1. Portuguese Language Centre for Foreigners – *Centro de Linguas - CIAL (http://www.cial.pt/ple.htm#contact).* The centre offers language classes to people

wishing to work in the country. Classes are offered from October to June on a weekly basis (2-3 hours per week), and cover all levels (from beginners to advanced). Accelerated classes are offered in July, August and September. The Centre also offers distant learning classes through the Web. For more information, contact the Centre in one of the following addresses:

- Lisboa

  Av. Da Republica, 41-8' Esq.

  1050-187 Lisboa

  tel.: 351-217-940.448

  e-mail: portuguese@sial.pt

- Faro (Algarve)

  R. Almeida Garrett, 44 r/c

  8000-206 Faro

  tel.: 351-289-807.611

  e-mail: portuguese@cial.pt

2.   *Coimbra University, Faculty of Philosophy, Department of Portuguese for Foreigners - University of Coimbra, Faculdade de Letras, Gabinete dos Cursos de Portugues para Estrangeiros (www.fl.uc.pt/).* Owners of a Portuguese residence permit or student visa are entitled to register. The registration fee is 100 € while tuition fees are 350 €. The University's web site includes details about classes as well as the registration form.

3.   Lisbon University*, Department of Portuguese Language and Culture - Departamento de Língua e Cultura Portuguesa, Faculdade de Letras da Universidade de Lisboa (http://www.fl.ul.pt/dlcp/principal.htm).* The department offers classes for foreigners since 1934. During the past few years more than 30,000 students have attended.

- ***education for children***

Pre-school education is not mandatory for children between 3 and 6. However, pre-school education is offered by both state and private schools, even though private institutions are much more expensive.

Primary education is generic and mandatory and includes 3 successive cycles of a total duration of 9 years (6 to 15 years old). Even in this grade, one has the option between state (free of charge) and private schools. International private schools also exist in the country.

Secondary education is divided in two sectors: secondary and professional schools. Students of both school types have access to the Universities, even though professional schools are rather oriented to the respective science.

On the first grade of Primary school the child must be registered with the local Education Council, at the district of the parent's home or employment. Subsequent registrations are merely renewals of the original registration until the end of the secondary schooling. To find the school the child should be registered with, one must visit the local Education Council.

The following documents are usually required to register the child with the school (the list should be cross-checked with each school as local variances do occur):

➢ registration form (obtained from the school)

➢ documents proving the child's level of education

➢ health certificate

➢ 3 passport photographs

➢ identification card

The deadline to submit the registration form is usually the 15th of June. There is no deadline for students coming from schools of another country. However, the school's Administration Council should be able to provide more information on this issue.

School holidays are during Christmas, Lent and Easter. Summer holidays are during July and August.

Private schools observe the same requirements as state schools. Make sure that the school is authorized by the Ministry of Education.

There are international schools in Lisbon, Porto and Algarve. Contact your embassy to receive information such as the location of the school, the available levels and the registration process.

Useful information on the Portuguese Education System can be found at the web page of the Ministry of Education - *Ministério da Educação (http://www.min-edu.pt)*, the *Public Relations and Information Centre - Centro de Informação e Relações Públicas - CIREP (http://www.des.min-edu.pt/estia/edu/cirep.htm)* and the *Interdepartmental System of Information for the Citizen - Sistema Interdepartamental de Informação ao Cidadão - INFOCID (http://www.infocid.pt)*

Working conditions

- ***Finding work***

Aliens have three months in their disposition to find a job. This period can be extended if you can prove that you are still searching for a job and that there are serious chances that you will be hired. Access to work may depend on the degrees or skills, professional experience or knowledge of a foreign language.

The following sources are available when searching for a job in Portugal:

1. Employment centres on a national, regional and local level

- Contact the state employment service, i.e. the *Institute of Employment and Professional Training - Instituto do Emprego e Formacao Profissional – IEFP (http://iefp.pt)*

    The services offered by IEFP include vocational training and job search. The institute also provides professional information and guidance, while helping the unemployed become self-employed.

- Information on the labor market can also be obtained from the following employment centres *(http://europa.eu.int/scadplus/citizens/el/pt/1055.htm), which* offer a wide range of services, aiming at helping people find jobs:

- Lisbon employment centre

    Centro de Emprego de Lisboa

    Rua Conde Redondo 129A

    1150 Lisboa

    tel.: 351-1-52.45.53

- Lisbon employment centre

  Centro de Emprego de Lisboa

  Rua das Picolas 14

  1050 Lisboa

  tel.: 351-1-356.38.01

- Braga employment centre

  Centro de Emprego de Braga

  Rua 25 de Abril 457 – 1'l

  4710 Braga

  tel.: 351-53-61.32.55

- Porto employment centre

  Centro de Emprego do Porto

  Rua Guedes de Azevedo 212 – 1'l

  4000 Porto

  tel.: 351-2-200.33.53

- Coimbra employment centre

  Centro de Emprego de Coimbra

  Av. Fernao de Magalhaes

  3000 Coimbra

  tel.: 351-39-25.925

- Setubal employment centre

  Centro de Emprego de Setubal

  Rua Antonio Jose Baptista 88A

  2910 Setubal

  tel.: 351-65-53.51.01

- Braganca employment centre

  Centro de Emprego de Braganca

  Forte Sao Joao de Deus

5300 Braganca

tel.: 351-73-33.13.45

- Guimaraes employment centre

    Centro de Emprego de Guimaraes

    Largo do Tourel 27

    4800 Guimaraes

    tel.: 351-53-51.48.00

- Aveiro employment centre

    Centro de Emprego de Aveiro

    Praca Marques de Pombal 4-2s

    3800 Aveiro

    tel.: 351-34-29.252

2. Portal EURES

▪ You can also visit the *EURES Job-search (http://europa.eu.int/eures) database*, with classifieds from European agencies and authorities on job vacancies. This portal also allows saving your CV for review by possible employers.

3. Other sources (daily press, information services, exposition)

▪ Check for vacancy ads in the daily and weekly press, especially on Sunday newspapers (which can be found in public libraries). A number of specialized magazines also publish job offers for specific industries.

▪ Visit the annual public information exposition that takes place in Lisbon towards the end of the year. The expo is organized by the student organization IAESTE and the Belgian group Co-Media at the Engineering School of the Technical University of Lisbon. The main aim of the expo is to promote the participating companies but also to inform students on vacancies.

- ***unemployment, unemployment benefit***

Unemployment affects 7.4% of the Portuguese active population whereas long-term unemployment is as high as 35.5%. The highest unemployment rate (5.5%) hits secondary education graduates followed by mandatory education graduates (i.e. primary school and junior high-school graduates) at 5%. Professional education graduates (after secondary education) are unemployed by 3.5%. The lowest unemployment is recorded for university graduates (3%).

❑ *Unemployment benefits*

Unemployment benefit seekers must request the transfer of their benefits from their respective countries, before leaving the home country (maximum three months - basic benefits only). Furthermore, they must be registered as unemployed for at least 4 weeks and inform the local office 2-4 weeks before departure so as to fill-in the respective documents.

The following cases of unemployment benefits exist in Portugal:

1. Unemployment benefit (recently fired employees)

2. Social unemployment benefit (long-term unemployed)

3. Partial unemployment benefit (employees on unemployment benefit with part-time job)

To be entitled to the unemployment benefit, you must register with the *Employment Centre - Centro de Emprego* of your residence area within 90 days from unemployment date.

Requests for unemployment benefit must be submitted to the local *Social Security Centre – CRSS / Centro Regionais de Seguranca Social*, *(http://www.seg-social.pt)* within the same delay. Only those with at least 540 employed days within the past 2 years are entitled to the unemployment benefit.

180 employment days within the year must be completed for those requesting a social unemployment benefit. However, this benefit is only paid to employees whose average per capita family income does not exceed 80% of the minimum salary.

The partial unemployment benefit is granted in very special cases and consists in continuing to receive the benefit after starting a part-time job. The salary

of the part-time job must not be grater than the unemployment benefit and the employment time cannot be lower than 20% or greater than 75% of the full-time employment time.

❑ Duration of benefits

➢ The *unemployment benefit* is granted for a period of 10 to 30 months, depending on the employees' age.

➢ *The social unemployment benefit* is granted in the same way, except when this benefit is granted immediately after the end of the regular unemployment benefit period. In this case, the social unemployment benefit is reduced by 50%. The period in question is 15 months for the unemployed aged between 45 and 54. People older than 55 keep receiving the unemployment benefit until the age of 60, when they receive their pension.

➢ The period of payment of the *part-time employment benefit* begins on the start date of the part-time job and ends with the regular end of the previously granted unemployment benefit.

❑ Benefit amounts

➢ The daily allowance of the *unemployment benefit* is calculated as 65% of the average wage of the employee in the last 12 months before the second month of unemployment. However, the benefit cannot be lower than the minimum wage and cannot be greater than triple the minimum wage.

➢ The *social unemployment benefit* can be between 80% and 100% of the minimum wage, depending on the size of the beneficiary's family. However, it cannot be greater than the average sickness allowance.

➢ The *part-time employment benefit* is equal to the difference between the unemployment benefit and the part-time job salary increased by 25%

Benefits are paid on a monthly basis in one disbursement.

- ***Employee rights (duration of work, official holidays, leave, benefits)***

The maximum weekly duration of work is 40 hours. However, the weekly duration of work may be calculated based on the total worked hours in a four-month

period. In this case, the daily working time cannot exceed 10 hours per day whereas the weekly number cannot exceed 50 hours per week.

The worked hours are calculated as the hours during which the employee is at the disposal of the employer. Breaks last between 1 and 2 hours per day, whereas work cannot be continuous for more than 5 hours (not applicable to managers). The interval between two shifts is 12 hours but can be decreased following a special agreement.

By "overtime", the Portuguese legislation considers all work done after the end of the employee's schedule. Pregnant women and mothers of children younger than 11 months, as well as handicapped people have no obligation to work overtime. Overtime is a minimum of 2 hours per day and 200 hours per year. The first hour is paid at 150% of the regular rate whereas the rest are paid at 175%. Overtime worked during holidays or weekends is paid at 200% of the regular hourly rate.

All employees are entitled to an annual paid leave of 22 days. Before completing the first year at each employer, employees are entitled to two days of paid leave per worked month. The leave may be taken in one lot or partially. The employee must agree with the employer in case he/she does not take the leave in one lot, knowing that one of the partial periods must be at least 10 days long. The leave period is agreed between the employer and the employee. Once defined, the leave period cannot change unless:

- The company considers it necessary. In this case the employee is entitled to take at least half the scheduled leave.

- The employee gets sick during his/her leave. In this case the leave is interrupted.

During holidays, employees receive their regular salary plus the leave allowance. Both must be paid at the beginning of the leave.

The official holidays in Portugal are as follows:

1   1/1 – New Years

2   Good Friday

3   25/4 – Liberation anniversary

4   1/5 – May First

5   10/6 – Portugal Day

6   Corpus Christi

7   15/8 – Dormition of the Holy Mother

8   5/10 – Democracy Day

9   1/11 – All Saints

10 1/12 – Independence Day

11 8/12 – Immaculate Conception

12 25/12 - Christmas

The beginning of Lent and local holidays are added to the above twelve official holidays.

For more information concerning the conditions of work and the employee rights, visit the following addresses:

- Labour Inspection office - IDICT / Instituto do Desenvolvimento e Inspeccao das Condicoes de Trabalho

  http://www.idict.gov.pt

- Public Administration Portal -

  INFOCID / Portal da Administracao Publica Portuguesa

  http://www.infocid.pt

- **Engineer bodies (associations, chambers)**

➢ *Technical Chamber of Portugal – Ordem dos Engenheiros ORDENG (http://www.ordeng.pt)*

ORDENG is the official body for everything concerning the titles, the recognition and the professional Engineer license. It was founded in 1869 under the name Associacao dos Engenheiros Civis Portugueses. In 1936 the institution took its current structure; the current statutes are in force since 1992. The ORDENG has the authority to regulate legal matters related to the improvement of the scientific, professional and social status of the Portuguese engineers and, finally, in the

commencement of inter-state relations and partnerships concerning engineers. All Engineer specialties belong to the ORDENG, separated into twelve colleges (Colegios):

- Colegio de Engenharia Agronomica

- Colegio de Engenharia Civil

- Colegio de Engenharia do Ambiente

- Colegio de Engenharia Electrotecnica

- Colegio de Engenharia Florestal

- Colegio de Engenharia Geografica

- Colegio de Engenharia Geologica e de Minas

- Colegio de Engenharia Informatica

- Colegio de Engenharia Mecanica

- Colegio de Engenharia Metalurgica e Materiais

- Colegio de Engenharia Naval

- Colegio de Engenharia Quimica

➤ *Association of Technical Engineers of Portugal – APET/Associacao Portuguesa de Engenheiros Technicos (http://www.apet.pt)*

➤ *Association of Environment Engineers of Portugal - Associacao Portuguesa de Engenheiros do Ambiente (http://www.apea.pt)*

➤ *Chamber of Architects of Portugal – Ordem dos Arguitectos (http://www.oasrs.org)*

➤ *Association of Architects of Portugal – Associacao de Arquitectos Portugueses (http://www.aap.pt)*

➤ *Association of Landscape Architects of Portugal - Associacao Portuguesa de Arquitectos Paisagistas (http://www.apap.pt)*

Degree recognition

Engineers

- ***Education – titles – specialties***

As far as engineers are concerned, the Portuguese educational system makes a distinction between Universities and Polytechnics.

The University awards the title of the Engineer degree (licenciado) after studies of 5 years. Additional studies of 1 to 1.5 years lead to the post-graduate Master's degree (mestrado) and finally to the Doctorate (doutoramento) diploma which is obtained approximately 5 years after graduation.

Polytechnics started providing higher education when the former industrial schools were converted to higher education schools for engineers (similar to Polytechnics), which, today, are part of the Polytechnic Schools. Polytechnics initially lead to the award of the degree of Technical Engineer, which has a lower status than the bachelor awarded in Universities. With additional studies for a post-graduate degree (DESE), technical engineers receive the engineer license (licenciado).

This status changed with the reform of law 413 A / 98, which added a two-year level of studies (licenciado) that the student can access immediately after finishing the first three-year cycle of studies (CESE)

The title of Engineer is awarded only by the *Technical Chamber of Portugal (Ordem dos Engenheiros)* to University graduates and to graduates of Polytechnics with the licenciado diploma.

The curriculum in Portuguese Universities and Polytechnics covers the following 17 engineer specialties:

- Especializacao em Direccao e Gestao da Construcao

- Especializacao em Energia

- Especializacao em Engenharia Acustica

- Especializacao em Engenharia Aeronautica

- Especializacao em Engenharia Alimentar

- Especializacao em Engenharia de Climatizacao

- Especializacao em Engenharia de Seguranca

- Especializacao em Engenharia e Gestao Industrial

- Especializacao em Engenharia Sanitaria

- Especializacao em Engenharia Textil

- Especializacao em Estruturas

- Especializacao em Geotecnia

- Especializacao em Hidraulica e Recursos Hidricos

- Especializacao em Planeamento e Ordenamento do Territorio

- Especializacao em Sistemas de Informacao Geografica

- Especializacao em Telecomunicacoes

- Especializacao em Transportes e Vidas de Comunicacao

- ***Professional license, institutions and methods to obtain it***

To exercise the profession of engineer in Portugal, the engineer needs to register with the respective *Technical Chamber - Ordem dos Engenheiros.* This provides significant professional rights and status to the engineer. Only university engineer graduates and owners of an equivalent degree (according to the Portuguese law) are entitled to apply for registration. To become a member, one must complete a training period in order to sit admission exams and receive the professional license. This process does not apply to those satisfying specific objective criteria, as defined by the Technical Chamber (ORDENG). Such criteria apply on the quality of the academic studies of the candidate and concern the curricula, the evaluation methods during the studies etc. Today, the *Ordem dos Engenheiros* exempts all graduate engineers from recognized schools, whereas in the past it examined thoroughly each candidate's curriculum.

- ***Degree recognition and equivalence***

The competent authority for the recognition of the degree is the *Technical Chamber of Portugal - Ordem dos Engenheiros (http://www.ordeng.pt).* The object of the recognition is the title or the sum of titles providing access to the profession of the engineer in the country of origin.

When submitting the degree recognition application, the following documents may be requested:

- Nationality certificate

- Titles and degrees

- Certificates on the duration and content of your education

- CV

- In case of doubts, the chamber may request a certificate issued by a competent authority of the country of origin certifying that, based on your degrees, you have all the typical qualifications to exercise the profession of the engineer.

- Certificate testifying that the majority of the education took place within the European Union, if the degree was issued in a country where the profession is regulated

- Certificate from a competent authority of your country testifying that you have at least three years of professional experience (only if you have obtained your degree in a third country)

- Certificate testifying that you have exercised the profession of the engineer for at least two years, during the past ten years (if the profession is not regulated in the country of origin).

The original documents with copies must be submitted ratified by a Portuguese consular authority in your country or any other competent authority. An official translation into Portuguese must also be submitted.

The authorities of the host country have a deadline of four months to answer your application for recognition. In case your application is rejected, the decision must be justified, in which case you have the right to object the decision by legal means, according to the legislation of the host country.

Following the recognition of your degrees, you can submit an application for an engineer position with the same rights and obligations as the owners of national degrees.

Architects

According to a research done in 2000[1] there are 10,377 professionally active architects in Portugal, or 1.036% of the total population of the country.

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[1]COAC « International professional practice : Portugal », 2000

- ***Education – degrees – specialties***

    Architect studies follow the general educational system described for Engineers. Some of the professional outlets for Architects are:

- Environment and Urban Planning

- Buildings – Urbanization

- Cultural Heritage

- ***Professional license, institutions and methods to obtain it***

    To exercise the profession of architect in Portugal, according to the law, you must register with the respective *Professional Chamber of Architects of Portugal – Ordem dos Arquitectos (http://www.oasrs.org).*

    To obtain the professional license, you must pass a number of exams and evaluation processes, including, among others, the demonstration of architectural plans to evaluation committees according to Art. 42 of law 176/98. The licensing process includes two stages:

    A. The candidate's testing stage including all evaluation processes foreseen by the Law, as described above

    B. The final examination

    Candidates with a degree obtained from state-recognized schools until 2007 are exempt from the final examination but not from the first evaluation stage described above.

- ***Degree recognition and equivalence***

    The profession of the Architect in the European Union is covered by directive 85/384/EEC of the Council. To recognise the profession, based on this directive, the formal qualifications must be foreseen in article 11 of the directive or in the announcement foreseen in article 7. However, the said directive does not foresee the full harmonization of the education for architects. Therefore, other curricula may

exist, which do not comply with the directive but are fully legal. Such education (and the degrees certifying them) may be recognised according to article 52 of the European Communities Treaty, as interpreted by the European Court of Justice in its decision of May 7, 1991 on case C-340/89 «Vlassopoulou». According to this decision, the host member state must take into consideration the degrees, certificates and other titles obtained by the candidate, as well as their professional experience.

If such formal qualifications are equivalent to those required by the national legislation for the exercise of the profession of the architect, then the same license must be awarded to the immigrant. If this does not happen, then the person must be given the option to cover the shortcomings of their education. Any administrative decision must be justified and provide the right for legal actions so as to make sure it complies with the legislation of the European Union.

The recognition foreseen by the directive (as well as that based directly on article 53 of the EC Treaty) does not apply to degrees obtained by European Union nationals in a European Union member-state. When the degree is obtained in a third country, its recognition is optional and falls within the discretion of each member state. The recognition of a third country degree by one member state does not oblige other member states to recognise such degree.

The legal definition of architecture as well as the legal status of the profession of the architect (e.g. rights, obligations, competencies etc.) are defined by the national legislation of the host member state. Consequently, the legal status of the immigrant shall be the same as the professionals whose typical qualifications have been obtained in the host member state. This may result in the immigrant not having, in the host state, some of the competencies that he/she enjoyed in the origin member state.

The authority competent to recognize the degree is the *Association of Architects of Portugal – Associacao dos Arquitectos Portugueses (http://www.aap.pt)*

The registration application must include the following:

- Original or ratified copy of the degree

- Penal record statement

- Residence permit in Portugal

- Ratified copy of the identity card or passport

In some cases, an official translation may be requested. The decision must be taken within three months following the presentation of your application. In case of a rejecting decision, you have the right to appeal to the courts.

The following link contains a list of schools recognized by the member states of the European Union: *http://citizens.eu.int/cgi-bin/fsprint.cgi*

- **Architects' professional rights**

The architects' professional rights are regulated by the following legislation, also regulating the legal status of the industry:

1   General law on the professional rights of architects, L. 176/98

2   Member registration rules to the association of architects (12/2/2000)

3   Ethics regulation (9/9/2001)

Employment relations

- **Engineers**

Engineers in Portugal may be employed in construction, in the industry, in companies of the private or the public sector, in the higher education or exercise their profession as liberal professionals.

Salaries in the public sector are defined following the collective employment contracts, whereas in the private sector, they are regulated by the free market. The Design Remuneration Code for Private and Public Works is mandatory for both sectors. The official institution supervising public and private works is the Ministry of Public Works, Transportation and Housing Development – Ministerio das Obras Publicas, Transportes e Habitacao (http://www.governo.gov.pt/portal/en). To undertake a public work design, one must be registered with the Designers Registry of the Ministry.

Architects

The Portuguese government defines the remuneration code for architects, which is mandatory for the public sector and optional for private projects. The association of architects proposes the application of the code as mandatory in the private contracts

and is investigating new forms of professional relations. Furthermore, the Association of Architects issues mandatory certificates that the architect undertaking specific projects has all the qualifications required by the law to practice the profession. This certificate is included in the architectural design folder submitted to the local administration authorities. Even though Law 176/98 specifically defines the above, due to older legislation, which is still valid, some local authorities still accept the design folders without the said certificates. The Association of Architects is trying to remedy this problem.

Architects in Portugal have the right to undertake activities such as:

➢ Building designs

➢ Feasibility studies

➢ Drawing up of technical texts related to designs

➢ Control of construction expenses

➢ Manage, supervise and co-ordinate construction works

➢ Urban design and development

➢ Regional and national planning

➢ Landscape design

➢ Interior design

➢ Furniture design

➢ Provide services as consultant or specialist for issues related to the science or architecture

Social security

The general regime of the social security system in Portugal includes protection against the following cases:

- Health care

- Maternity allowance

- Temporary and permanent invalidity allowance

- Age pension and benefits in case of death

- Unemployment benefit and family allowance

"Type E" documents are used to provide social security services outside the country. The most important documents are category E 100 for sickness and maternity allowance, category E 200 for pensions, category E 300 for unemployment benefits and category E 400 for family allowances. To receive all the above, the insured person must submit the documents required from the competent social security administration. The applicant must also have a valid passport or identity card, a copy of the birth certificate, of copy of the marriage certificate or the child's birth certificate.

❑ Registration with the social security

With regards to salaried employees, the employer is obliged to proceed to the respective registration with the Regional *Social Security Centre – CRSS / Centro Regionais de Seguranca Social (βλ. http://www.seg-social.pt)* of the employer's installation location (http://www.coac.net). If this does not happen, the employee has the right to submit the respective application personally, containing his personal data, attaching a copy of the identity card to the competent regional centre, mentioning the employer's name and address.

Registering with the various status of social security requires the payment of social security contributions by the employer and the employee; such contributions amount to percentages of the gross pay, as defined by the law. Contributions are wholly paid by the employers, who retain the respective amount from the employee's salary.

Non-salaried employees must personally register with the CRSS centre of their area, by submitting the following documents:

- Application form with their personal details

- Statement for beginning of professional activity

- Copy of their identity card

- Copy of their income statement

Such employees pay contributions amounting to a percentage of their conventional fees, as selected by the employee among specific scales defined by the law. Such percentage varies depending on the framework of benefits selected by the employee.

The Portuguese legislation regarding the social security regimes includes various legislation texts, depending on the social security section and the category of employees. The two main legislation texts are:

- *Fundamental Social Security Law - Lei de Bases da Seguranŋa Social (28/84)*

- *Fundamental Health Care Law - Lei de Bases da Saïde (48/90)*

Taxation

Permanent residents of Portugal must pay an income tax for all income obtained in Portugal and abroad. However, Portugal has signed double taxation treaties with other countries in order to avoid the double taxation of the same income. In the case of income obtained in another member state, the taxpayer must pay a tax for the respective income only in the country where the income was earned.

The employer of salaried employees retains a part of the employee's salary or fees and pays it on the account of the employee to the tax authorities. The respective amount is then subtracted from the final amount of income tax to be paid. In the case of some employees, e.g. some categories of unmarried, divorced or separated taxpayers, such retention of tax covers the entire amount of tax due, hence the submission of a tax statement is not required.

Self-employed people must pay three down payments during the fiscal year against the final tax due for the said year. Each down payment amounts to 25% of the tax due in the previous fiscal year for the respective item of taxed income. A tax statement must be filed after the end of the fiscal year. A tax clearing statement is issued based on the submitted income statement, containing the tax due or the amount to be returned. Interests apply both on amounts payable and on returned amounts.

Taxpayers in Portugal have the right to object in case they oppose the tax clearing statement.

For simple queries and more information, one must consult with the competent tax authority. For more complex questions, people usually consult with their accountant or lawyer specialized on taxation issues or even the *General Taxation*

Frontier workers

Free circulation of employees within the European Union applies to "frontier workers", i.e. people who work in a country of the European Union different to the country of their residence. 'Frontier workers" are those who reside in one country of the E.U., where they usually return on a daily basis or at least once per week, but work in another country. Due to the special status of "frontier workers", who can be employed in a country different than the country of their residence, the European union law does not require from the country of employment to issue a residence permit. However, competent authorities may be authorized to issue a special permit. Three member states (Belgium, Italy and Spain) have used this right so far.

Community regulations on social security include specific provisions for frontier workers. As a frontier worker, one is covered by the European social security legislation in the same way as other categories mentioned in such provisions. However, special rules apply for sickness and unemployment benefits. You can receive sickness benefits either in the country of residence or in the country of work. Unemployment benefits can only be applied for in the country of residence.

Income tax is not harmonized throughout the European Union. Income taxation is regulated by national laws and a number of bilateral agreements to avoid double taxation. As a result of the tax treaties between European Union member states, income earned by frontier workers may be taxed only in one of the involved countries. The tax paid in one country is taken into account in the calculation of tax due to the other country. In some cases, employees are taxed in the country of their work. This happens when the status of an employee who is not a permanent resident is comparable to that of a permanent resident, especially if the total or almost all his income is generated in the country of employment and income in the country of residence is insufficient to be liable to income tax.

The taxation of frontier workers in Portugal is rather complex. For this reason, it is preferable to seek taxation advice to the local taxation service or an expert on taxation issues before doing your taxation planning. As a taxpayer, you have the same rights with the Portuguese citizens to file a complaint with the Provedor de

Justica (ombudsman) in case of unequal treatment from the public authorities. However, the ombudsman has no executive authority but can merely proceed to recommendations to the competent public authorities to prevent illegal actions.

Seek more information in the following addresses:

➢ General taxation issues:

Direccao-Geral das Contribuicoes e Impostos Servico de Apoio ao Contribuinte

Rua D. Duarte, 4 A

1100 Lisbon Portugal

➢ Information on frontier workers in Portugal:

Instituto do Emprego e Formacao Profissional (Employment and Professional Training Institute)

Rua de Xabregas, n°56 - 2°

1900 Lisbon Portugal

➢ Information on the social security of frontier workers *Seguranca Social*

Departamento de Relacoes Internacionais de Seguranca Social

Rua da Junqueira, n° 112

1300 Lisbon Portugal

<u>Comments – Remarks</u>

Considerable effort has been made to locate information concerning the professional rights of engineers and architects in Portugal. For this reason, questionnaires were sent (by post, e-mail and fax) to the main professional bodies in the country, i.e. the Technical Chamber, the Architects Chamber and the Engineer Associations. Unfortunately, the effort was unsuccessful. The only possibility left to acquire information was the literature research, which was mainly based on sources available on the Internet. Special attention was given to information derived from web pages of the professional bodies referenced earlier.

Another significant obstacle in making good use of the information extracted from the above sources is that their web sites are available in Portuguese only.

Useful links

Housing	
APEMI – Associação Portuguesa de Empresas de Mediação Imobiliária	http://www.apemi.pt
Associação Lisbonense de Proprietários	http://www.alp.pt
INH - Instituto Nacional de Habitação	http://www.inh.pt
Language learning	
CIAL– Centro de Linguas	http://www.cial.pt/ple.htm#contact
University of Coimbra, Faculdade de Letras, Gabinete dos Cursos de Portugues para Estrangeiros	http://www.fl.uc.pt
Departamento de Língua e Cultura Portuguesa, Faculdade de Letras da Universidade de Lisboa	http://www.fl.ul.pt/dlcp/principal.htm
Education for the children	
Ministério da Educação	http://www.min-edu.pt
CIREP - Centro de Informação e Relações Públicas	http://www.des.min-edu.pt/estia/edu/cirep.htm
INFOCID - Sistema Interdepartamental de Informação ao Cidadão	http://www.infocid.pt
Job searching	
IEFP - Instituto do Emprego e Formacao Profissional	http://iefp.pt
Web-site for EURES Job-search database	http://europa.eu.int/eures
Unemployment benefits	
CRSS - Centro Regionais de Seguranca Social	http://www.seg-social.pt
Working conditions, employee rights	

IDICT - Instituto do Desenvolvimento e Inspeccao das Condicoes de Trabalho	http://www.idict.gov.pt
INFOCID - Portal da Administracao Publica Portuguesa	http://www.infocid.pt
Engineer associations	
ORDENG – *Ordem dos Engenheiros*	*http://www.ordeng.pt*
Associacao Portuguesa de Engenheiros do Ambiente	http://www.apea.pt
Engineers: educations, titles, specialties	
Ministério da Educação	http://www.min-edu.pt
Engineers: professional license, degree recognition and equivalence	
Ordem dos Engenheiros	http://www.ordeng.pt
Engineers: labour relations	
Ministerio das Obras Publicas, Transportes e Habitacao	http://www.governo.gov.pt/portal/en
ANEOP- Associacao Nacional de Empreiteiros de Obras Publicas	http://aneop.pt
AECOPS – Associacao de Empresas de Construcao e Obras Publicas	http://www.aecops.pt
Architect associations	
Ordem dos Arquitectos	http://www.oasrs.org
Associacao de Arquitectos Portugueses	http://www.aap.pt
Associacao Portuguesa de Arquitectos Paisagistas	http://www.apap.pt
Architects: education, titles, specialties	
Ministério da Educação	http://www.min-edu.pt
Architects: professional license – degree recognition and equivalence	

Ordem dos Arquitectos	http://www.oasrs.org
Associacao dos Arquitectos Portugueses	http://www.aap.pt
Architects: labour market	
COAC - Collegi d' Arquitectes de Catalunya	http://www.coac.net
Ordem dos Arquitectos	http://www.oasrs.org
Social Security	
CRSS - Centro Regionais de Seguranca Social	http://www.seg-social.pt
Taxation	
Direccao-Geral das Contribuicoes e Impostos Servico de Apoio ao Contribuinte	http:/www.min-financas.pt

LITTERATURE

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3. EUROCADRES, www.eurocadres.org/mobilnet

4. Portuguese Language Centre (*Centro de Linguas – CIAL), www.cial.pt/ple.htm#contact*

5. EUROPA, europa.eu.int

6. European Union, citizens.eu.int

7. Ministry of Education (Ministério da Educação), www.min-edu.pt

8. FEANI, www.feani.org

9. *Technical Chamber of Portugal* (*Ordem dos Engenheiros ORDENG*), *www.ordeng.pt*

10. *Professional Chamber of Architects of Portugal* (*Ordem dos Arguitectos),*
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11. Social Security Centre (Centro Regionais de Seguranca Social - CRSS),
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12. Employment and Vocational Training Institute (Instituto do Emprego e
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