

# PORTUGAL

<b>1. Consumer policy institutions</b>	<b>2</b>
1.1. MINISTRY RESPONSIBLE FOR CONSUMER POLICY	2
1.2. PUBLIC AGENCIES	3
1.3. NATIONAL CONSUMER ORGANISATIONS	13
1.4. NATIONAL COUNCILS/ASSEMBLIES OF CONSUMER ORGANISATIONS AND OTHER STAKEHOLDERS	16
1.5. CONSUMER MEDIA	17
1.6. REDRESS BODIES: COURTS AND ADRS	17
1.6.1. Out-of-court bodies responsible for the settlement of consumer disputes (Commission Recommendation 98/257/EC)	17
1.6.2. Out-of-court bodies involved in the voluntary resolution of consumer disputes (Commission Recommendation 2001/310/EC)	26
1.6.3. Other bodies involved in the voluntary resolution of consumer disputes	26
1.7. EUROPEAN CONSUMER CENTRE	27
1.8. SELF OR CO-REGULATION	27
<b>2. Consumer policies</b>	<b>28</b>
2.1. CONSUMER PROTECTION LEGISLATION	28
2.2. CONSUMER ORGANISATIONS	29
2.3. INFORMATION AND EDUCATION	30
2.4. INFORMATION GATHERING/RESEARCH	31

# 1. Consumer policy institutions

## 1.1. MINISTRY RESPONSIBLE FOR CONSUMER POLICY

In Portugal, the Secretary of State for Trade, Services and Consumer Protection, within the Ministry of the Economy, Innovation and Development, is responsible for consumer policy, consumer protection and consumer affairs.

- **Secretaria de Estado do Comércio, Serviços e Defesa do Consumidor (Cabinet of the Secretary of State for Trade, Services and Consumer Protection)**

*Address:* Rua da Horta Seca, 15, PT-1200-221 Lisboa

*Phone:* +351 21 324 54 00

*Fax:* +351 21 324 54 60

*E-mail:* [gsecsdc@mei.gov.pt](mailto:gsecsdc@mei.gov.pt)

*Website:* <http://www.min-economia.pt/>

- **Direcção-Geral do Consumidor (Consumer Directorate-General)**

The Consumer Directorate-General contributes to the drafting, the definition and implementation of consumer policy in Portugal, aiming to ensure a high level of protection.

It is a central body of direct public administration, whose organic law was approved by *Decreto Regulamentar 57/2007*, April 27, which approved its internal structure and mandate. The Consumer Directorate-General (DGC) has been entrusted with the responsibility of guaranteeing consumers access to alternative means of dispute resolution (ADR - alternative dispute resolution), namely arbitration centers and municipal centers for consumers information, the responsibility of informing consumers of their rights under the applicable laws and regulations and of directing consumers complaints to sector regulators in the areas submitted to economic regulation of sectoral nature.

Furthermore, DGC assesses the need for new regulation in all areas of interest to consumers, thereby proposing new legislative measures or others aiming to protect consumers, and cooperates in the transposition and application of European law. DGC analyses and monitors as well the commercial or institutional advertising and the techniques for sales promotions. It also publicizes information on the safety of goods and services to consumers, acting on its own initiative or in coordination with other public bodies, particularly regarding goods and services that may damage the health and wellbeing of consumers. Finally, DGC encourages and supports consumer associations through the grant of technical and financial means and it coordinates the Portuguese System for Consumer Defense, which encompasses both public bodies and private parties that share the goal of implementing consumers' rights.

Other regular tasks conferred to DGC include the interaction with both public and private bodies in order to gather information and to request for action needed to safeguard consumers' rights and interests, and regularly participates in the activities of the European Union and of international organizations active in the area of consumer policy.

DGC provides administrative and technical support and logistics to the National Consumer Council and to the Services and Consumer Goods Safety Commission, while it hosts the European Consumer Centre in Portugal.

According to the Consumer Protection Law, Law 24/96, July 31, the scope of intervention of the Directorate-General is limited to relations regarding the supply of goods and services or the transfer of rights for non-professional use by professionals that pursue a profitable economic activity.

DGC has been appointed the official contact point in Portugal (by *Despacho conjunto* 357/2006, April 28) for the implementation of the European Network of Administrative Cooperation in the area of consumer protection (set by EC Regulation 2006/2004, October 27), aiming to provide for a speedy and simplified exchange of information between national authorities of all Member States which control the enforcement of European consumer protection legislation.

DGC's internal structure (established by *Portaria* 536/2007, April 30) comprises 3 directions, each of them including one division: the Direction for International Affairs and Consumers Safety, which includes the Division for Consumer Safety of Goods and Services; the Direction for Consumer Communication, which includes the Division for Consumers Assistance and Information and the Direction for Consumer Law, which includes the Division for Advertising.

Under *Despacho* 4210/2008 of the Secretary of State for Trade, Services and Consumer Protection, which approved the Regulation for Technical and Financial Support to Consumer Associations and Consumer Cooperatives, the Consumer Directorate-General annually finances projects namely for consumer information and education, training actions, and studies.

The Consumer Directorate-General chairs the managing committee of the Consumer Protection Fund ("Fundo para a Promoção dos Direitos dos Consumidores"), created in 2008 with the objective of supporting consumer protection activities.

**Direcção-Geral do Consumidor (Consumer Directorate-General)**

*Address:* Av. Praça Duque de Saldanha, nº 31 – 1º, 2º, 3º e 5º, PT-1069-013 Lisboa

*Phone:* + 351 21 356 46 00

*Fax:* + 351 21 356 47 19

*E-mail:* [dgc@dgc.pt](mailto:dgc@dgc.pt)

*Website:* [www.consumidor.pt](http://www.consumidor.pt)

## **1.2. PUBLIC AGENCIES**

The regulatory authorities are responsible for monitoring certain sectors of activity and in particular, for regulating any contradictory interests. It should be noted that some of these structures also control the market and its way of operating.

- **Regulatory Authorities and Market Surveillance Bodies**

- **Autoridade da Concorrência (Competition Authority)**

- The Portuguese Competition Authority was created by Decree-Law 10/2003, January 18. It succeeds the Competition Council and the Directorate General for Trade and Competition, as an independent and financially autonomous public agency. The Authority has enforcement powers over all sectors of the economy, including regulated sectors, the latter in coordination with the relevant sector regulators.

The mission of the Authority is to enforce the Portuguese and European competition laws in the areas of anti-competitive practices and merger control, respecting the principles of market economy and free competition, with the following goals:

- the efficient functioning of the markets,
- the efficient distribution of resources
- and the interests of consumers.

The Portuguese Competition Authority's competencies include enforcement powers regarding anti-competitive practices, supervision powers related to merger control, economic and sector specific studies and inquiries and, finally, regulatory powers, as it may issue recommendation and regulations, and may approve compliance programmes and best practices guidelines.

*Address:* Av. Berna, nº 19, PT-1050-037 Lisboa

*Phone:* + 351 21790 20 00

*Fax:* + 351 21 790 20 99

*E-mail:* [adc@autoridadedaconcorrenca.pt](mailto:adc@autoridadedaconcorrenca.pt)

*Website:* [www.concorrenca.pt](http://www.concorrenca.pt)

○ **Banco de Portugal (Bank of Portugal)**

According to its Organic Law, the Bank of Portugal, as the central bank, is an integral part of the European System of Central Banks, (ESCB) and, in that quality, "shall pursue the objectives and shall participate in the performance of the tasks entrusted to the ESCB". According to its statutes, Bank of Portugal "is responsible for the prudential and market conduct supervision of credit institutions, financial companies and payment institutions with a view to ensuring the stability, efficiency and soundness of the financial system, as well as the compliance with rules of conduct and transparency requirements towards bank customers, thereby ensuring the safety of deposits and depositors, and the protection of consumer interests".

Under the "market conduct supervision" of retail financial markets (set by Decree-Law 1/2008, January 3), the Bank of Portugal may establish rules of conduct for credit institutions and financial companies ensuring transparency of information during the pre-contractual and contractual stages, namely in advertising, and fairness in transactions in financial products and services between supervised entities and their clients. In addition, consumers may submit complaints directly to the Bank of Portugal.

*Address:* R. do Ouro 27, PT-1100-150 Lisboa

*Phone:* +351 213213200

*Fax:* +351 213464843

*E-mail:* [info@bportugal.pt](mailto:info@bportugal.pt)

*Website:* [www.bportugal.pt](http://www.bportugal.pt)

○ **Comissão do Mercado de Valores Mobiliários (Securities Market Commission)**

The Portuguese Securities Market Commission, also known by its initials "CMVM", was established in April 1991 with the task of supervising and regulating securities and other financial instruments markets (traditionally known as "stock markets"), as well as the activity of all those who operate within these markets.

CMVM is an independent public institution, with administrative and financial autonomy, financed through supervision fees charged to undertakings operating in these markets. The

CMVM regulates the functioning of the securities markets, public offerings, and actions of all the market operators and, in general, all matters pertaining to this area of activity.

CMVM protects investors both by constant supervision and regulation conferred by law, as well as also developing services which ensures direct support to the general public and the investors in particular, offering services of investor assistance, conflict mediation, investor compensation scheme to the public, aiming to reinforce the investors' confidence in the securities markets and respective entities, as well as to contribute towards a better understanding of matters relating to savings and investment.

CMVM is also a founding member of the EU FIN-NET network, available to all EU and Norway and Iceland citizens, created for the presentation of extra-judicial cross-border complaints in the area of financial services in order to enhance cooperation between national authorities enforcing alternative resolution of these kinds of disputes.

*Address:* Av. da Liberdade, 252, PT-1056-801 Lisboa

*Phone:* +351 21 317 7000

*Fax:* +351 21 353 7077

*E-mail:* [cmvm@cmvm.pt](mailto:cmvm@cmvm.pt)

*Website:* <http://www.cmvm.pt>

○ **Instituto de Seguros de Portugal (Insurance Institute of Portugal)**

The Insurance Institute of Portugal (ISP) is the Portuguese body which controls and supervises insurance and reinsurance activities, pension funds and insurance mediation.

It has two main responsibilities:

- Normative functions, which consist of drawing up technical regulations and collaborating in the creation of laws which regulate the access, and exercise of the insurance pension fund activities.
- Supervisory functions, *i.e.* monitoring the operators and overseeing compliance with the legislative and regulatory rules governing the sector.

The ISP has a Consumer Support Service which provides information on insurance activity, issues opinions on the complaints presented, processes Civil Liability Car Insurance refused by insurance companies and provides information regarding the names of insurers concerned with traffic accidents.

In order to resolve conflict in this area, consumers may use the Insurance Information, Mediation, Ombudsman and Arbitration Centre (CIMPAS) and the Automobile Sector Arbitration Centre (CASA).

*Address:* Av. da República, n° 76, PT-1600-205 Lisboa

*Phone:* +351 21 790 31 00

*Fax:* +351 21 793 85 68

*E-mail:* [isp@isp.pt](mailto:isp@isp.pt)

*Website:* [www.isp.pt](http://www.isp.pt)

○ **Autoridade Nacional de Comunicações - ANACOM (National Communications Authority)**

ANACOM is the regulatory authority for the communications sector - telecommunication and posts - in Portugal. It is independent from the Government despite being required to annually send it a report on its regulatory activities, which is also to be submitted to the

Portuguese Parliament. ANACOM includes a service for consumer assistance, currently limited to electronic communications, which provides information on the applicable laws, as well as regulations and notices issued by ANACOM, how to complain and how to reach the operators, statistics and studies of consumer interest.

ANACOM's board is assisted by an Advisory Board, of consultative nature and support and participation in the definition of general guidelines by ANACOM.

The Advisory Board is composed of representatives of interested parties in the communications and postal sector, of central government and regional governments, and from the National Association of Municipalities, the Portuguese Competition Authority, the undertakings holding concessions for the universal communications and postal services, representatives of services operators and providers, sellers and installers of telecommunications systems, manufacturers, companies using communications and individual consumers.

*Address:* Av. José Malhoa, 12, PT-1099-017 Lisboa

*Phone:* + 351 21721 1000

*Fax:* + 351 21721 1001

*E-mail:* [info@anacom.pt](mailto:info@anacom.pt)

*Website:* [www.anacom.pt](http://www.anacom.pt)

- **Entidade Reguladora dos Serviços Energéticos - ERSE (Energy Regulatory Authority)**  
The Energy Regulatory Authority (ERSE) is the sector regulator for natural gas and electricity (energy), aiming to contribute for efficient and sustainable markets, pursuing consumer and environment protection in a transparent and non-discriminatory way. It is a public agency provided with administrative and financial autonomy.

ERSE is independent, notwithstanding the guiding principles of the energy policy set out by the Government, and was entrusted with the mission of protecting consumers regarding prices, quality of service, access to information and safety of supply, of fostering efficient competition, while providing for the economic and financial balance of the regulated undertakings towards an appropriate and efficient management, with the incentive of an efficient use of energy and environment protection, and, finally, with the task of arbitrating and resolving disputes, namely through alternative means.

ERSE involves interested parties in the regulatory procedure through wide public consultations and public hearings previously publicized. ERSE also benefits from the opinions issued by its Advisory Board and the Tariff Board, which assist ERSE in its general action guidelines. Both boards encompass a wide range of representatives from Public Administration, including the Consumer Directorate-General, from municipalities and regional governments, consumer associations, from the energy producing and distributing undertakings, from the manager of the energy transport network and from industrial clients.

In 2010 ERSE launched an Energy Consumer Program, based on the key issues of information, education, and dispute resolution prevention and management.

*Address:* R. D. Cristóvão da Gama, nº 1, 3º, PT-1400-113 Lisboa  
*Phone:* +351 213033200  
*Fax* +351 21 303 33 201  
*E-mail:* [erse@erse.pt](mailto:erse@erse.pt)  
*Website:* [www.erse.pt](http://www.erse.pt)

- **Direcção Geral de Energia e Geologia (Directorate-General for Energy and Geology)**  
The Directorate General for Energy and Geology is the body of the Portuguese Administration responsible for the conception, promotion and evaluation of energy and geological policies, taking in account the need for sustainable development while keeping a high degree of security of energy supply. The mission of the DGGE includes raising awareness of citizens to the importance of energy and geology issues within the context of Portugal's economic and social development, through information on the available policy making instruments and disseminating the results of its monitoring activities.

The energy sector has been highlighted as a priority for the Portuguese Government, poised to secure Portugal's position within the 5 best performing EU Member States as far as renewable energy is concerned until 2020, thereby expanding the industrial sectors and R&D activities related to renewable energy equipment and assets towards increased exports, combined with a comprehensive plan to assert alternative sources of energy.

*Address:* Av. 5 de Outubro, 87, PT-1069-039 Lisboa  
*Phone:* +351 217922700  
*Fax:* +351 217939540  
*E-mail:* [energia@dge.pt](mailto:energia@dge.pt)  
*Website:* [www.dge.pt](http://www.dge.pt)

- **Entidade Reguladora dos Serviços de Águas e Resíduos - ERSAR (Water and Waste Regulating Entity)**  
The Water and Waste Regulating Entity (ERSAR) was created in 1997 in order to promote the quality of multi-municipal and municipal water systems for public consumption, and to manage urban waste water and solid urban waste.

ERSAR regulates and provides orientation in the urban water and solid waste sectors to protect the interests of the consumers of these systems, and also monitors its economic sustainability.

In this context, ERSAR has an important role in gathering information about the multi-municipal and municipal water and solid urban waste systems functioning. This information is submitted by the management bodies, and includes the following aspects:

- Coverage of the population or access to public systems;
- Regularity of the services provided;
- Quality of the water distributed;
- Quality of liquid effluents and mud;
- Quality of the final destination of solid waste; and
- Environmental impact of the systems and their functioning.

*Address:* Centro Empresarial Torres de Lisboa, *Rua Tomás da Fonseca, Torre G – 8º, PT-1600-209 Lisboa*

*Phone:* +351 210 052 200

*Fax:* +351 210 052 259

*E-mail:* [geral@ersar.pt](mailto:geral@ersar.pt)

*Website:* [www.ersar.pt](http://www.ersar.pt)

○ **Entidade Reguladora da Saúde - ERS (Health Sector Regulator)**

ERS is a public body entrusted with regulation and supervision of the health care services sector. It is responsible for overseeing access to health care, the maintenance of quality services and safety, while ensuring competition between providers pursuing the protection of users' rights.

*Address:* Rua S. João de Brito, n.º 621, L 32, PT-4100-455 Porto

*Phone:* +351 222092350

*Fax:* +351 222092351

*E-mail:* [geral@ers.pt](mailto:geral@ers.pt)

*Website:* [www.ers.pt](http://www.ers.pt)

○ **Autoridade Nacional do Medicamento e Produtos de Saúde – INFARMED (National Authority of Medicine and Health Products)**

INFARMED is a public body with administrative and financial autonomy within the framework of the Ministry for Health, which regulates and supervises medicines, medical devices, cosmetics and similar products according to the highest standards of public health protection, and grants health professionals and citizens access to medicines, medical devices, cosmetics and similar products of quality and safety.

INFARMED main goal is to ensure the quality, safety and efficacy of medicines and the quality, safety and performance of health products in order to avoid the risks of their use while ensuring adequate standards of public health and consumer's protection, thereby receiving and handling consumers' complaints regarding pharmacies.

*Address:* Parque de Saúde de Lisboa - Avenida do Brasil, 53, PT-1749-004 Lisboa

*Phone:* +351 217987100

*Fax:* +351 217987316

*E-mail:* [infarmed@infarmed.pt](mailto:infarmed@infarmed.pt)

*Website:* [www.infarmed.pt](http://www.infarmed.pt)

○ **Instituto da Construção e do Imobiliário – INCI (Public Works and Real Estate Regulatory Authority)**

INCI is the regulator for public works and real estate in Portugal. INCI issues the necessary licenses for access of regulated activities under these sectors, namely the construction permit, the registration title, the real estate mediation licenses and the register of real estate operators.

*Address:* Avenida Júlio Dinis, 11, PT-1069-010 Lisboa

*Phone:* +351 217946700

*Fax:* + 351 21 7946799

*E-mail:* [inci@inci.pt](mailto:inci@inci.pt)

*Website:* [www.inci.pt](http://www.inci.pt)



- **Instituto Nacional de Aviação Civil - INAC (National Civil Airlines Institute)**  
INAC is the public body that regulates and oversees civil aviation in Portugal and supervises the sector. INAC is responsible for licensing, certifying, authorizing and ratifying activities, procedures, operators, personnel, airplanes, infrastructures, equipments, systems and other means necessary to civil aviation. Furthermore, INAC sets the requirements and technical conditions that have to be met for operating in this sector.

When dealing specifically with passenger rights for air transport, INAC is competent in cases of overbooking, delays or cancellation of flights, and losses, bad handling and damages to luggage.

*Address:* Rua B, Edifício 4, Aeroporto da Portela, PT-1749-034 Lisboa

*Phone:* +351 21 842 35 00

*Fax:* +351 21 847 35 85

*E-mail:* [rege.cpdc@inac.pt](mailto:rege.cpdc@inac.pt)

*Website:* [www.inac.pt](http://www.inac.pt)

- **Instituto da Mobilidade e dos Transportes Terrestres – IMTT (Institute for Mobility and Inland Transportation)**

IMTT is the public body responsible for the coordination of inland transport, an independent agency endowed with administrative and financial autonomy and with jurisdiction over national territory.

IMTT integrates a functionally independent rail regulatory unit in charge of the economic and technical regulation of the rail sector.

IMTT's mission comprises the regulation, supervision, coordination and planning of inland transport. IMTT is also responsible for supervising and regulating the activities of those who operate within this sector, as well as for promoting safety and quality standards and ensuring the protection of consumer's rights.

*Address:* Av. das Forças Armadas, 40, PT-1649-022 Lisboa

*Phone:* +351 217 949 000

*Fax:* +351 217 973 777

*E-mail:* [imtt@imtt.pt](mailto:imtt@imtt.pt)

*Website:* [www.imtt.pt](http://www.imtt.pt)

- **Entidade Reguladora para a Comunicação Social – ERC (Media Regulator)**  
The Media Regulator (ERC) was created in 2005 and is operating since 2006, to regulate and supervise all entities that are active in the area of media in Portugal.

It is an independent administrative authority with administrative and financial autonomy which pursues constitutional values and principles such as freedom of press, the right to information, independence before political and economic interests, plurality of views and opinions. It supervises the fulfillment of legal duties by media companies and bodies and encourages efficient markets. ERC promotes co-regulation and encourages the adoption of self-regulation mechanisms by the operators in these markets.

It encompasses an Advisory Board which assists the Regulatory Board in the general action guidelines, where public administration representatives, including from the Consumer

Directorate General, and representatives from private companies and bodies active in the media sector in Portugal participate.

*Address:* Avenida 24 de Julho, N°58, PT-1200-869 Lisboa

*Phone:* +351 210 107 000

*Fax:* +351 210 107 019

*E-mail:* [info@erc.pt](mailto:info@erc.pt)

*Website:* [www.erc.pt](http://www.erc.pt)

○ ***Instituto de Turismo de Portugal (Portuguese Tourism Board)***

The Portuguese Tourism Board is a public agency responsible for the promotion, the enhancement and the sustainability of tourism activities in Portugal, under Ministry for Economy, Innovation and Development.

The Portuguese Tourism Board provides, therein, direct or indirect support for the strengthening, modernization and development of business structures of the tourism sector and promotes the development of infrastructures and investment in the sector, within the context of a strategic partnership with private undertakings tourism infrastructures. It also encourages human resources training activities, supports investment in the sector, coordinates Portugal's domestic and international promotion as a tourism destination, and, furthermore, is responsible for the regulation and inspection of betting activities.

*Address:* R. Ivone Silva, Lote 6, PT-1050-124 Lisboa

*Phone:* +351 217 808 800

*Fax:* +351 217 937 537

*E-mail:* [info@turismodeportugal.pt](mailto:info@turismodeportugal.pt)

*Website:* <http://www.turismodeportugal.pt>

○ ***Autoridade de Segurança Alimentar e Económica – ASAE (Food and Economic Safety Authority)***

The Food and Economic Safety Authority (ASAE) is the national administrative authority responsible for food safety and the inspection of economic activities. It evaluates and informs possible risks to the food chain, as well as it oversees compliance of economic activities in the food and non food sectors to the applicable legislation, through inspection and prevention actions.

ASAE pursues its mandate according to the principles of scientific independence, precaution, credibility, transparency and confidentiality.

*Address:* Av. Conde Valbom, 98, 1050-070 Lisboa

*Phone:* +351 21 798 36 00

*Fax:* +351 21 798 36 54

*E-mail:* [correio.asae@asae.pt](mailto:correio.asae@asae.pt)

*Website:* [www.asae.pt](http://www.asae.pt)

In August 2009, *RTIC – Rede Telemática de Informação Comum* (network for joint information), a cooperation project between the Consumer Directorate-General and several regulatory authorities and market surveillance bodies, was launched following Decree-Law 118/2009, May 19. This electronic network created an internet site that gathers information on consumers complaints for *online access* by both consumers and businesses, allowing

consumers to follow their cases through the site - <http://rtic.consumidor.pt> - or through [www.consumidor.pt](http://www.consumidor.pt)

RTIC ensures that consumers' complaints are registered by the regulatory authorities and market surveillance bodies, providing consumers and businesses information about the status of the complaints and, furthermore, improves the communication of data regarding consumer conflicts.

- **Observatories**

- **Observatório da Publicidade (Advertising Observatory)**

The Consumer Directorate-General, in order to monitor the advertising activity, has created, in cooperation with the School of Communication and Media Studies, the Advertising Observatory, which started working on October 2001.

The Observatory monitors advertising messages in the national market through different means of support (newspapers, television, radio, cinema, internet, outdoor messages) in the light of the applicable legal provisions on form and content. And also provides studies on trends and new platforms such as social internet networks, advergames and other subjects suggested by the Directorate General.

*Address:* Praça Duque de Saldanha, n.º 31-5º, PT-1069-013 Lisboa

*Phone:* +351 21 356 4714

*Fax:* +351 21 356 4719

*E-mail:* [dgc@dg.consumidor.pt](mailto:dgc@dg.consumidor.pt)

*Website:* [www.consumidor.pt](http://www.consumidor.pt)

- **Observatório do Endividamento (Observatory of Consumers' Indebtedness)**

This Observatory was created on July 2001 through a protocol between the Directorate-General for Consumers and the Social Studies Centre of the Faculty of Economy of Coimbra University. The Observatory's main objective is to carry out research on the problematic of consumers' indebtedness and over indebtedness.

Its specific mission is to collect and analyze economic and socio-legal information pertaining to consumers' credit, to design methodologies for assessing over indebtedness, to carry out technical studies for an increased knowledge of the main tendencies of consumer indebtedness and over indebtedness, in order to discuss appropriate measures in these.

*Address:* Colégio de S. Jerónimo, Apartado 3087

*Phone:* +351 239 855570

*Fax:* +351 239 855589

*E-mail:* [oecc@sonata.fe.uc.pt](mailto:oecc@sonata.fe.uc.pt)

*Website:* [www.oecc.fe.uc.pt](http://www.oecc.fe.uc.pt)

- **Gabinete de Orientação ao Endividamento dos Consumidores (Cabinet for Assistance to Consumers Indebtedness)**

This Cabinet was launched by the Consumer Directorate-General in cooperation with ISEG-Instituto de Economia e Gestão, a Faculty of Economy based in Lisbon, aiming to provide families with sound technical assistance, based on sound knowledge and experience in the area of families' budgets management.

The Cabinet informs consumers and families sent by the Directorate-General, arbitration centers, municipal services of consumers information, through phone, internet and meetings, interacting with the other services that are following these cases.

The Cabinet is open to the public every working day from 17h to 20h, in order to respond to the convenience of consumers and families that address it.

*Address:* Rua Miguel Lupi, n° 20, Gabinete 202, PT-1249-078 Lisboa

*Phone:* +351 21 3925942

*Fax:* +351 21 3967971

*E-mail:* [gac@iseg.utl.pt](mailto:gac@iseg.utl.pt)

○ **Observatório da Comunicação – OBERCOM (Observatory for the Media)**

*OberCom - Observatório da Comunicação* is a non-profit private association that produces and publicizes information and studies and research carried out that contribute for a more comprehensive knowledge in the media area, covering the lack of sector specific updated information in all areas of media.

*Address:* Palácio Foz – Praça dos Restauradores, PT-1250-187 Lisboa

*Phone:* +351 21 3221319

*Fax:* +351 21 3221320

*E-mail:* [obercom@obercom.pt](mailto:obercom@obercom.pt)

*Website:* [www.obercom.pt](http://www.obercom.pt)

○ **Comissão de Segurança de Serviços e Bens de Consumo (Services and Consumer Goods Safety Commission)**

The Services and Consumer Goods Safety Commission is a collegial body of deliberative nature, with national scope and under the jurisdiction of the member of Government responsible for the supervision of consumer protection.

The Commission is responsible for:

- Deliberating about products and services placed on the market and that are not compatible with the high level of consumer health and safety protection;
- Promoting, with the entities responsible for market control, the accomplishment of the general safety obligation, in particular by means of surveillance programs that should be periodically carried out;
- Proposing to the Government the necessary measures to prevent and to protect against the risks that products placed on the market could present or products that may damage the consumer health and safety, due to their composition;
- Informing the competent authority for finding of facts, in case of dangerous products placed on the market;
- Carrying out technical and scientific studies about the safety of products and services;
- Giving recommendations and public advices;
- Giving opinions on matters related to product safety, at the request of the member of the Government responsible for consumer protection.

*Address:* Praça Duque de Saldanha, n.º 31-3º, PT-1069-013 Lisboa

*Phone:* +351 21 356 4658

*Fax:* +351 21 356 47 19

*E-mail:* [seg@dg.consumidor.pt](mailto:seg@dg.consumidor.pt)

### 1.3. NATIONAL CONSUMER ORGANISATIONS

- **Consumer Associations**

On this issue, the Portuguese Consumer Law (Law 24/96, 31 July) states the following (article 17):

1. Consumer associations are non-profit organizations with legal personality, whose main goal is to protect the rights and interests of their associates and consumers in general.
2. Consumer associations may have of national, regional or local scope according to the area of action and have, at least, 3,000, 500 or 100 associates, respectively.
3. Consumer associations may have generic or specific interest:
  - a) Generic interest: consumer associations whose statutory goal is the protection of the rights of consumers in general, their bodies being freely elected by universal and secret suffrage by all their associates;
  - b) Specific interest: consumer associations of determined goods and services, their bodies being freely elected by universal and secret suffrage by all their associates.
4. Consumer co-operatives are comparable to consumer associations for the purposes laid down in this law.

- **Consumer Associations of general interest and national scope**

- **Associação de Consumidores de Portugal (ACOP)**

*Address:* R. Vilaça da Fonseca, 5, Villa Cortez, PT-3020-053 Coimbra

*Tel:* +351 239 404840

*Fax:* +351 239 404738

*E-mail:* [acop.geral@mail.telepac.pt](mailto:acop.geral@mail.telepac.pt)

*Website:* [acop.planetaclix.pt](http://acop.planetaclix.pt)

- **Associação Portuguesa para a Defesa do Consumidor (DECO)**

*Address:* R. Artilharia 1, 79-4º, PT-1269-160 Lisboa

*Phone:* +351 21 371 0200

*Fax:* +351 21 371 0299

*E-mail:* [decolx@deco.pt](mailto:decolx@deco.pt)

*Website:* [www.deco.proteste.pt](http://www.deco.proteste.pt)

- **União Geral de Consumidores (UGC)**

*Address:* R. Damasceno Monteiro, 114-1º, PT-1170-113 Lisboa

*Phone and Fax:* +351 21 012 2631

*E-mail:* [celiamarques@oninet.pt](mailto:celiamarques@oninet.pt)

- **Federação Nacional das Cooperativas de Consumidores (FENACOOOP)**

*Address:* Av. Santos Dumont, 57 – 2º Esq., PT-1050-202 Lisboa

*Phone:* +351 265 799 059

*Fax:* +351 265 701 159

*E-mail:* [fenacoop@consumo-pt.coop](mailto:fenacoop@consumo-pt.coop)

*Website:* [www.consumo-pt.coop/fenacoop](http://www.consumo-pt.coop/fenacoop)

- **PLURICOOP, Cooperativa de Consumo, CRL**  
*Address:* Av. António Sérgio, PT-2910-404 Setúbal  
*Phone:* +351 265 799 087  
*Fax:* +351 265 799 009  
*E-mail:* [pluricoop@consumo-pt.coop](mailto:pluricoop@consumo-pt.coop)  
*Website:* [www.consumo-pt.coop/pluricoop/index.php](http://www.consumo-pt.coop/pluricoop/index.php)
  
- **Consumer Associations for specific interests and national scope**
  - **Associação Portuguesa de Consumidores dos Media (ACMEDIA)**  
*Address:* Rua Santo António à Estrela, 108 – R/c Dto, PT-1350-294 Lisboa  
*Phone:* +351 21 882 17 33  
*Fax:* +351 21 882 17 34  
*E-mail:* [acmedia@acmedia.pt](mailto:acmedia@acmedia.pt)  
*Website:* [www.acmedia.pt](http://www.acmedia.pt)
  
  - **Associação de Consumidores e Utilizadores de Produtos e Serviços Financeiros - SEFIN**  
*Address:* Alameda Afonso Henriques, 72 r/c Esq, PT-1000-125 Lisboa  
*Phone:* +351 21 840 50 71  
*Fax:* +351 21 330 04 95  
*E-mail:* [sefin.mail@gmail.com](mailto:sefin.mail@gmail.com)
  
  - **ACP Automóvel Clube de Portugal**  
*Address:* Rua Rosa Araújo, 24, PT-1250-195 Lisboa  
*Phone:* +351 21 318 01 00  
*Fax:* +351 21 318 02 27  
*E-mail:* [apoio.socio@acp.pt](mailto:apoio.socio@acp.pt)  
*Website:* [www.acp.pt](http://www.acp.pt)
  
  - **Apusbanc Consumo - Associação Portuguesa de Usuários de Serviços Bancários**  
*Address:* Avenida Nossa Senhora do Rosário – N° 603 - 2° F - Edifício Biarritz,  
PT-2750-179 Cascais  
*Phone:* +351 214 831 513  
*Fax:* +351 210 173 916  
*E-mail:* [geral@apusbanc.com.pt](mailto:geral@apusbanc.com.pt)  
*Website:* [www.apusbanc.com.pt](http://www.apusbanc.com.pt)
  
  - **URBE - Núcleos Urbanos de Pesquisa e Intervenção**  
*Address:* Rua Conde Redondo, 117-3°, PT-1150-104 Lisboa  
*Phone:* +351 21 315 42 76  
*Fax:* +351 21 330 04 95  
*E-mail:* [secretariado@urbe.mail.pt](mailto:secretariado@urbe.mail.pt)  
*Website:* [www.urbe-nupi.pt](http://www.urbe-nupi.pt)

- **Associations of general interest and regional scope**
  - **Associação dos Consumidores da Região Açores (ACRA)**  
*Address:* R. de S. João, 33, PT-9500-107 Ponta Delgada  
*Phone:* +351 296 62 97 26  
*Fax:* +351 296 62 97 26  
*E-mail:* [consumidores@acra.pt](mailto:consumidores@acra.pt)  
*Website:* [www.acra.pt/](http://www.acra.pt/)
  - **Associação de Consumidores de Setúbal (ACSET)**  
*Address:* Rua Joaquim Brandão, N° 13 - 1°, PT-2900-422 Setúbal  
*Phone:* +351.964 594 723  
*E-mail:* [acset-setubal@iol.pt](mailto:acset-setubal@iol.pt)
- **Consumer Associations for specific interests and regional scope:**
  - **Associação Portuguesa de Direito do Consumo (APDC)**  
*Address:* R. Vilaça da Fonseca, 5, Villa Cortez, PT-3020-053 Coimbra  
*Phone:* +351 239 40 47 33  
*Fax:* +351 239 40 47 38  
*E-mail:* [apdc.cedc@mail.telepac.pt](mailto:apdc.cedc@mail.telepac.pt)  
*Website:* [www.apdconsumo.pt/](http://www.apdconsumo.pt/)
  - **AINP - Associação de Inquilinos do Norte de Portugal**  
*Address:* Rua Firmeza, 107, PT-4000-228 Porto  
*Phone:* +351 225 365 001  
*Fax:* +351 225 390 718  
*E-mail:* [geral@ainorte.com](mailto:geral@ainorte.com)  
*Website:* [www.ainorte.com](http://www.ainorte.com)
  - **AIL - Associação dos Inquilinos Lisbonenses**  
*Address:* Av. Almirante Reis, 12 , PT-1150-017 Lisboa  
*Phone:* +351 21 885 42 80  
*Fax:* +351 21 885 42 81  
*E-mail:* [ail@ail.pt](mailto:ail@ail.pt)  
*Website:* [www.ail.pt](http://www.ail.pt)
- **Other legal persons of private nature active in the area of consumer protection**
  - **Associação Portuguesa para a Promoção Infantil – APSI**  
*Address:* Vila Berta – Graça, 7 – R/C E, PT-1170-400 Lisboa  
*Phone:* +351 21 887 01 61  
*Fax:* +351 21 888 16 00  
*E-mail:* [apsi@apsi.org.pt](mailto:apsi@apsi.org.pt)  
*Website:* [www.apsi.org.pt](http://www.apsi.org.pt)

- **Associação de Técnicos Profissionais de Informação e Consumo - ATPIC**  
*Address:* Praceta Rui de Pina, N°5, Quinta de S. Nicolau de Fora, PT-2855 Corroios  
*Phone:* +351 966 821 729 / 966 582 053 / 966 746 580  
*Fax:* +351 212 742 949  
*E-mail:* [atpic\\_p@hotmail.com](mailto:atpic_p@hotmail.com)

#### **1.4. NATIONAL COUNCILS/ASSEMBLIES OF CONSUMER ORGANISATIONS AND OTHER STAKEHOLDERS**

- **Conselho Nacional de Defesa do Consumido - CNC (National Consumer Council)**  
The National Consumer Council is an independent body within the Ministry for Economy, Innovation and Development, for consultation, educational and prospective activities in areas related to consumer interests.

This Council is also a forum for dialogue between the Public Administration, consumers and organizations representing interest groups in the consumer area.

The National Consumer Council may:

- Issue opinions on all consumer matters which are submitted to it by the Government, the Consumer Directorate-General, consumer associations or other related entities;
- Issue opinions on relevant legal initiatives on consumer matters;
- Study and propose to the Government the main political and strategic guidelines, both sectoral and general for action in the consumer area;
- Appreciate the annual report and action plan of the Directorate-General for Consumers;
- Recommend on matters, actions or situations of interest for consumers' rights to both public and private entities or to consumers.

The National Consumer Council includes currently twenty representatives of social-professional organizations and other entities relevant to consumer related matters.

The Council is chaired by the Secretary of State for Trade, Services and Consumer Protection, and includes the Consumer Director-General as well as representatives of the National Association of Local Authorities, of consumer associations, of consumer co-operatives, of family associations, of trade union associations, and of different business associations of the agricultural, commercial and industrial sectors and services.

According to the agenda, the Chairman may invite entities or personalities to these meetings as well as high rank officials of Public Administration services and organizations to participate in the meetings.

Administrative, technical and logistic support is provided by the Consumer Directorate-General.

*Address:* Praça Duque de Saldanha, n.º 31-3º, PT-1069-013 Lisboa  
*Phone:* +351 21 356 4640  
*Fax:* +351 21 356 4719  
*E-mail:* [cnc@dg.consumidor.pt](mailto:cnc@dg.consumidor.pt)  
*Website:* [www.consumidor.pt](http://www.consumidor.pt)



## 1.5. CONSUMER MEDIA

### Consumer Organisations Publications:

- Direcção-Geral do Consumidor – [www.consumidor.pt](http://www.consumidor.pt)
- DECO - [www.deco.proteste.pt](http://www.deco.proteste.pt)
- ACOP - <http://acop.planetaclix.pt/>
- ACMedia - <http://www.acmedia.pt/>
- ACP - <https://www.acp.pt/>
- ACRA - <http://www.acra.pt>
- FENACOOP - [www.p-coopconsumo.pt/fenacoop](http://www.p-coopconsumo.pt/fenacoop)
- APDC - <http://www.apdconsumo.pt/>
- APSI - <http://www.apsi.org.pt/index.html>

## 1.6. REDRESS BODIES: COURTS AND ADRS

Information about courts and small claims procedure:

[http://ec.europa.eu/justice\\_home/judicialatlascivil/html/sc\\_information\\_pt.htm](http://ec.europa.eu/justice_home/judicialatlascivil/html/sc_information_pt.htm)

Further information about ADR in Portugal: Office for Alternative Dispute Resolution – GRAL  
[www.gral.mj.pt](http://www.gral.mj.pt)

### 1.6.1. Out-of-court bodies responsible for the settlement of consumer disputes (Commission Recommendation 98/257/EC)

#### • Arbitration Centers:

The arbitration centers for settling consumer disputes are set up by non-profit private associations (except in Madeira, a politically autonomous region, where the centre was set up by the regional government), representing consumers and professionals. The establishment of an arbitration centre requires prior approval of the Ministry of Justice.

In arbitration, the professional has to accept recourse to this process. This acceptance can be provided on a case-by-case basis – only granted in relation to a specific dispute - or it can be general – the professional agrees to recourse to arbitration in all disputes it is party to. In order to promote and facilitate a wide adhesion of professionals to the arbitration centers, some “Simplex” measures (public program towards increased simplification and cutting of red tape, reducing compliance costs and using ICT to deliver better public services) are also offering this possibility to professionals using the “Empresa na Hora” (“On the Spot Firm”) or “Sucursal na Hora” (“On the Spot” Branch Office), “Casa Pronta” (“Fast-track Home Buying Scheme”) and “Automóvel na Hora” (“Online Motor Vehicle Scheme”) can choose to register their general acceptance of arbitration procedures through these systems.


Arbitration is generally free of charge or entails moderate costs. It corresponds to simple, informal and swift procedures.

Arbitration decisions are binding once the parties have been notified and they are deemed to be equivalent to those of courts of first instance. In the event of non-compliance with the arbitration decision, direct appeal to judicial courts is allowed, and consumers are exempt from court fees.

The use of arbitration throughout Portugal has been encouraged by the Government. There are two sector-specific arbitration centers, seven general arbitration centers with specific geographic jurisdiction and a National Centre entitled to settle all consumer disputes occurring in areas and in relation to sectors not covered by the other regional centers.


All centers are registered with the European Commission as alternative dispute resolution entities, complying with the principles established in Recommendation 98/257/EC.

- **Vertical Arbitration Centers (sector-specific with national scope)**
  - **Automobile Sector Arbitration Centre (CASA)**

 <b>CENTRO DE ARBITRAGEM DO SECTOR AUTOMÓVEL</b>	
Scope	All consumer disputes arising from the provision of motor vehicle assistance, maintenance and repair services as well as the retailing of fuel and lubricants, the purchase and sale of parts and any other materials intended to be used on motor vehicles, the purchase of new and used vehicles and services provided by companies owning car parks. It is also competent to settle disputes between companies and individuals.
Geographical jurisdiction	Nationwide
Max. proceedings value	No limit
Cost	<p>All information provided by telephone, in writing or in person is free of charge, along with all mediation and conciliation services provided by the Centre's Director.</p> <p><b>Fee for commencement of proceedings:</b> EUR 10.00</p> <p><b>Preparation of process to advance to conciliation and arbitration, to be paid by each party:</b> 3 % (single arbitrator) or 5 % (collective court), a minimum of EUR 35.00 and maximum of EUR 500.00</p> <p><b>Preparation of processes between companies:</b> 4% (single arbitrator) or 7% (collective court), a minimum of EUR 60.00</p> <p><b>Appealing against arbitration decision:</b> payment of preparation fees in the value of EUR 100.00 by the appealing party.</p>
Information	<p><i>Telephone:</i> working days from 9:00 to 18:00</p> <p><i>Assistance in-person:</i> working days from 9:30 to 17:30</p>
Contacts	<p><i>Postal address:</i> Av. República, 44, 3º Esq, PT-1050-194 Lisboa</p> <p><i>Phone:</i> +351 217 827 330 / 217 951 696</p> <p><i>Fax:</i> +351 21795 2122</p> <p><i>E-mail:</i> <a href="mailto:info@centroarbitragemsectorauto.pt">info@centroarbitragemsectorauto.pt</a></p> <p><i>Website:</i> <a href="http://www.centroarbitragemsectorauto.pt">www.centroarbitragemsectorauto.pt</a></p>


Note: Acceptance of arbitration by CASA can be performed through the "Online Motor Vehicle Scheme" (Online Motor Vehicle Acceptance).

○ Insurance Information, Mediation, Ombudsman and Arbitration Centre (CIMPAS)


 <p><b>CIMPAS - CENTRO DE INFORMAÇÃO, MEDIAÇÃO, PROVODORIA E ARBITRAGEM DE SEGUROS</b></p>	
Scope	Disputes arising from motor vehicle accidents occurred after 17 April 2000 involving a maximum of 3 vehicles, with no personal injuries, and claims made to insurance companies. Recourse to the Centre must occur within 6 months of the final written position of the entity against which the complaint is filed.
Geographical jurisdiction	Nationwide
Max. proceedings value	No limit
Cost	3 % of the claimed value, a minimum of EUR 50.00 and maximum of EUR 500.00
Average resolution time	120 Days
Information	<p><b>Assistance in Lisbon:</b>  <i>Telephone and Assistance in-person:</i> working days from 9:30 to 13:00 and 14:30 to 18:00</p> <p><b>Assistance in Porto:</b>  <i>Telephone and Assistance in-person:</i> working days from 10:00 to 13:00 and 14:00 to 16:00</p>
Contacts	<p><b>Lisbon:</b>  <i>Postal address:</i> Av. Duque de Loulé, 72, 7º e 8º,  PT-1070-242 Lisboa  <i>Phone:</i> +351 21 382 77 00  <i>Fax:</i> +351 21 382 77 08  <i>E-mail:</i> <a href="mailto:geral@cimasa.pt">geral@cimasa.pt</a> / <a href="mailto:provedoria@cimpas.pt">provedoria@cimpas.pt</a></p> <p><b>Porto:</b>  <i>Postal address:</i>  Rua Júlio Dinis, 561, 7ª sala, 705  PT-4050-325 Porto  <i>Phone:</i> +351 22 606 99 10  <i>Fax:</i> +351 22 609 41 10  <i>E-mail:</i> <a href="mailto:cimpasnorte@cimpas.pt">cimpasnorte@cimpas.pt</a>  <i>Website:</i> <a href="http://www.cimasa.pt">www.cimasa.pt</a></p>

*Note: CIMPAS succeeded to former CIMASA.*


- **Horizontal Arbitration Centers (with regional, district or municipal scope)**
  - **Lisbon Consumer Conflict Arbitration Centre**

 <p><b>CENTRO DE ARBITRAGEM DE CONFLITOS DE CONSUMO DE LISBOA</b></p>	
Scope	All consumer dispute
Geographical jurisdiction	Lisbon Metropolitan Area
Max. proceedings value	EUR 5,000.00
Cost	Free of Charge
Average resolution time	30 to 40 Days
Information	<i>Telephone:</i> every Friday from 15:00 to 18:00 <i>Assistance in-person:</i> working days from 11:00 to 18:30
Contacts	<i>Postal address:</i> Rua dos Douradores, 108 - 2º e 3º PT-1100-207 Lisboa <i>Phone:</i> +351 21 880 70 30 <i>Fax:</i> +351 21 880 70 38 <i>E-mail:</i> <a href="mailto:juridico@centroarbitragemlisboa.pt">juridico@centroarbitragemlisboa.pt</a> ; <a href="mailto:director@centroarbitragemlisboa.pt">director@centroarbitragemlisboa.pt</a> <i>Website:</i> <a href="http://www.centroarbitragemlisboa.pt">www.centroarbitragemlisboa.pt</a>


○ **Coimbra Consumer Conflict Arbitration Centre**

 <p><b>Associação de Arbitragem de Conflitos de Consumo</b></p>	
Scope	All consumer disputes and those resulting from the “Fast-track Home Buying scheme” (“Casa Pronta”)
Geographical jurisdiction	Municipalities of Arganil, Cantanhede, Coimbra, Condeixa-a-Nova, Figueira da Foz, Góis, Lousã, Mira, Montemor-o-Velho, Oliveira do Hospital, Penacova, Penela, Soure, Tábua e Vila Nova de Poiares
Max. proceedings value	EUR 5,000.00
Cost	Free of Charge
Average resolution time	60 Days
Information	<i>Telephone and Assistance in-person:</i> working days from 10:00 to 12:30 and 14:00 to 16:30
Contacts	<i>Postal address:</i> Av. Fernão de Magalhães, 240- 1º PT- 3000-172 Coimbra <i>Phone:</i> +351 239 821 289 / 239 821 690 <i>Fax:</i> +351 239 821 690 <i>E-mail:</i> <a href="mailto:tribarb@caccdc.org.pt">tribarb@caccdc.org.pt</a> <i>Website:</i> <a href="http://caccdc.blogspot.com">caccdc.blogspot.com</a>


○ **Porto Consumer Information and Arbitration Centre**

 <p>Centro de Informação de Consumo e Arbitragem do Porto TRIBUNAL ARBITRAL DE CONSUMO</p>	
Scope	All consumer dispute
Geographical jurisdiction	Porto city, Maia, Matosinhos e Vila Nova de Gaia
Max. proceedings value	No limit
Cost	Free of Charge
Average resolution time	1 Month
Information	<i>Telephone and Assistance in-person:</i> working days from 10:00 to 18:00
Contacts	<i>Postal address:</i> Rua Damião de Góis, 31 loja 6, PT-4050-225 Porto <i>Phone:</i> +351 225 029 791 / 225 508 349 <i>Fax:</i> +351 225 026 109 <i>E-mail:</i> <a href="mailto:cicap@mail.telepac.pt">cicap@mail.telepac.pt</a> <i>Website:</i> <a href="http://www.centro-arbitragem-consumo-porto.pt">www.centro-arbitragem-consumo-porto.pt</a>

○ Vale do Ave Consumer Information and Arbitration Centre

 <p><b>CENTRO DE ARBITRAGEM DE CONFLITOS DE CONSUMO DO VALE DO AVE</b> <b>TRIBUNAL ARBITRAL</b></p>	
Scope	All consumer disputes and those resulting from the “Fast-track Home Buying scheme” (“Casa Pronta”)
Geographical jurisdiction	Municipalities of Fafe, Guimarães, Póvoa de Lanhoso, Póvoa de Varzim, Santo Tirso, Trofa, Vila do Conde, Vila Nova de Famalicão e Vizela
Max. proceedings value	No limit
Cost	Free of Charge
Average resolution time	65 Days
Information	<i>Telephone and Assistance in-person:</i> Mon, Tue, Wed, from 9:00 to 13:00 and 14:00 to 18:00 Thu, from 9:00 to 13:00 and 14:00 to 17:00 Fri, from 9:00 to 13:00
Contacts	<i>Postal address:</i> R. Capitão Alfredo Guimarães, 1, PT-4800-019 Guimarães <i>Phone:</i> +351 253 422 410 <i>Fax:</i> +351 253 422 411 <i>E-mail:</i> <a href="mailto:triave@gmail.com">triave@gmail.com</a> <i>Website:</i> <a href="http://www.triave.eu">www.triave.eu</a>

○ Vale do Cávado Consumer Information and Arbitration Centre

	
<b>CENTRO DE INFORMAÇÃO, MEDIAÇÃO E ARBITRAGEM DE CONSUMO (TRIBUNAL ARBITRAL DE CONSUMO)</b>	
Scope	All consumer disputes and those resulting from the “Fast-track Home Buying scheme” (“Casa Pronta”)
Geographical jurisdiction	Municipalities of Amares, Barcelos, Braga, Esposende, Montalegre, Póvoa do Lanhoso, Terras do Bouro, Vieira do Minho, Vila Verde, Arcos de Valdevez e Ponte da Barca
Max. proceedings value	No limit
Cost	Free of Charge
Average resolution time	90 Days
Information	<i>Telephone:</i> Mon to Thu, from 9:00 to 18:00; Fri, from 9:00 to 16:00 <i>Assistance in-person:</i> working days from 9:00 to 16:00
Contacts	<i>Postal address:</i> R. D. Afonso Henriques, nº1 PT-4700-030 Braga <i>Phone:</i> +351253 617 604 <i>Fax:</i> +351 253 617 605 <i>E-mail:</i> <a href="mailto:geral@ciab.pt">geral@ciab.pt</a> <i>Website:</i> <a href="http://www.ciab.pt">www.ciab.pt</a>


○ Algarve Consumer Information, Mediation and Arbitration Centre

	
<b>CIMAAL - CENTRO DE INFORMAÇÃO, MEDIAÇÃO E ARBITRAGEM DE CONFLITOS DO ALGARVE</b>	
Scope	All consumer disputes
Geographical jurisdiction	Algarve
Max. proceedings value	EUR 14,963.94
Cost	Free of Charge
Average resolution time	60 Days
Information	<i>Telephone:</i> working days from 9:30 to 13:00 and 14:30 to 17:30 <i>Assistance in-person:</i> working days from 9:30 to 13:00 and 14:30 to 17:30
Contacts	<i>Postal address:</i> Loja do Cidadão de Faro, Edifício do Mercado Municipal, Largo Dr. Francisco Sá Carneiro, PT-8000-151 Faro <i>Phone:</i> +351 289 823 135 <i>Fax:</i> +351 289 812 213 <i>E-mail:</i> <a href="mailto:cimaal@mail.telepac.pt">cimaal@mail.telepac.pt</a> <i>Website:</i> <a href="http://www.cimaal.pt">www.cimaal.pt</a>


*Note: This Centre is in the process of removing the ceiling on the value of proceedings.*



○ **Madeira Autonomous Region Consumer Conflict Arbitration Centre**

 <p>GOVERNO REGIONAL DA MADEIRA SECRETARIA REGIONAL DOS RECURSOS HUMANOS Rua da Alegria, N.º 31 - 2.º F Edifício Alegria, 9004 - 544 FUNCHAL Telf: 291 750 300, Fax: 291 750 339 Email: <a href="mailto:centroarbitragem.srrh@gov-madeira.com">centroarbitragem.srrh@gov-madeira.com</a></p>	
Scope	All consumer dispute
Geographical jurisdiction	Madeira Autonomous Region
Max. proceedings value	EUR 30,000.00
Cost	Free of Charge
Average resolution time	30 Days
Information and Mediation	Provided by the Consumer Protection Service, located in the Funchal Loja do Cidadão. <i>Website:</i> <a href="http://www.srrh-recursoshumanos.pt/sdc.html">www.srrh-recursoshumanos.pt/sdc.html</a>
Contacts	<i>Postal address:</i> Rua da Alegria, Edifício Alegria, 31 - 2ºF PT-9004-544 Funchal <i>Phone:</i> +351 291 750 330 <i>Fax:</i> +351 291 750 339 <i>E-mail:</i> <a href="mailto:centroarbitragem.srrh@gov-madeira.pt">centroarbitragem.srrh@gov-madeira.pt</a> <i>Website:</i> under construction

○ **National Arbitration Centre**

 <p>ARBITRAGEM DE CONSUMO CENTRO NACIONAL DE INFORMAÇÃO E ARBITRAGEM DE CONFLITOS DE CONSUMO</p>	
Scope	All consumer dispute
Geographical jurisdiction	Nationwide
Max. proceedings value	No limit
Cost	Information and mediation free of charges
Average resolution time	30 Days
Contacts	<i>Postal address:</i> CNIACC - Centro Nacional de Informação e Arbitragem de Conflitos de Consumo Faculdade de Direito da Universidade Nova de Lisboa Campus de Campolide, PT-1099-032 Lisboa <i>Phone:</i> + 351 21 3845131 / 351 919225540 <i>Fax:</i> + 351 213845201 <i>E-mail:</i> <a href="mailto:cniacc@unl.pt">cniacc@unl.pt</a> <i>Website:</i> <a href="http://www.arbitragemdeconsumo.org/index.php">http://www.arbitragemdeconsumo.org/index.php</a>

Further information in the site of the Directorate-General for Extrajudicial Administration - [www.dgae.mj.pt](http://www.dgae.mj.pt)

### 1.6.2. Out-of-court bodies involved in the voluntary resolution of consumer disputes (Commission Recommendation 2001/310/EC)

- **SDCRAM - Serviço de Defesa do Consumidor da Região Autónoma da Madeira**

*Address:* Rua da Boa Viagem N° 36, 2°, PT-9060-027 Funchal, Madeira

*Phone:* +351. 291 200 240

*Fax:* +351. 291 200 241

*E-mail:* [sdcr.srrh@gov-madeira.pt](mailto:sdcr.srrh@gov-madeira.pt)

- **Entidade Reguladora dos Serviços Energéticos (ERSE)**

*Address:* R. D. Cristóvão da Gama, 1, 3°, PT-1400-113 Lisboa

*Phone:* +351 213033200

*Fax:* +351 21 303 33 201

*E-mail:* [erse@erse.pt](mailto:erse@erse.pt)

*Website:* [www.erse.pt](http://www.erse.pt)

- **Comissão do Mercado de Valores Mobiliários (CMVM)**

*CMVM Headquarters:* Av. Liberdade n.º 252, PT-1056-801 Lisboa

*Phone:* +351 21 317 70 00

*Fax:* +351 21 353 70 77

*Toll Free Number:* 800 205 339

- **CMVM - Oporto Delegation**

*Address:* Rua Dr. Alfredo Magalhães, 8 - 5°, PT-4000-061 Porto

*Phone:* +351 22 208 44 02/3

*Fax:* +351 22 208 43 01

*E-mail:* [cmvm@cmvm.pt](mailto:cmvm@cmvm.pt)

*Website:* [www.cmvm.pt](http://www.cmvm.pt)

- **Instituto Português de Venda Directa – (IPVD)**

*Address:* Rua Tomás Ribeiro, 45 – 7°, PT-1050-225 Lisboa

*Phone:* + 351 213552070

*Fax:* + 3513548540

*E-mail:* [dosdin@dosdin.pt](mailto:dosdin@dosdin.pt)

### 1.6.3. Other bodies involved in the voluntary resolution of consumer disputes

- **Julgados de Paz (Small claims courts)**

Peace Judges are courts with special characteristics, competent to solve causes of civil nature and a value not higher than EUR 5,000.00. They aim at solving conflicts quickly and with reduced costs.

The average resolution time is about 2 months.

More information about these bodies and their location all over the country may be found in the following Website address: <http://www.gral.mj.pt>

- **Other Entities of Specialized Mediation**

- **Consumer associations and consumer information centers (CIAC) of various municipalities** – search in [www.consumidor.pt](http://www.consumidor.pt)

**Centros de Informação Autárquicos ao Consumidor - CIAC (Municipal Consumer Information Centers/Services)**

These services are part of municipalities, acting in the area of consumer policy under their legal competences, with the support of the Consumer Directorate-General. They provide consumers with information and assistance in consumer law and affairs while also ensuring dispute resolution mediation, having the advantage of closeness to the consumers' residence, particularly important outside the metropolitan areas of Lisbon and Porto.

For information on the network of these municipal services, go to [www.consumidor.pt](http://www.consumidor.pt)

## **1.7. EUROPEAN CONSUMER CENTRE**

**Centro Europeu do Consumidor (European Consumer Centre)**

*Address:* Praça Duque de Saldanha, 31-1º, PT-1069-013 Lisboa

*Phone:* +351/21 356 47 50

*Fax:* +351/21 356 47 19

*E-mail:* [euroconsumo@dg.consumidor.pt](mailto:euroconsumo@dg.consumidor.pt)

*Website:* <http://cec.consumidor.pt>

## **1.8. SELF OR CO-REGULATION**

- **Instituto Civil de Autodisciplina da Publicidade (Civil Institute of Self-discipline of Advertising)**

ICAP was created in 1991 in order to implement self regulation in the area of advertising. It gathers around 100 members representing advertising agencies and other companies active in the advertising business whose activities abide to a number of ethical principles regarding the advertising communication and activity set by ICAP, namely the Code of Conduct for Advertising, the Fair Practices Code for Environmental Advertising and the Ethic, Legal Service and Mediation Regulations.

Therefore, ICAP offers an alternative dispute resolution system based on mediation.

ICAP has concluded several protocols with public bodies, such as the Consumer Directorate-General, and private companies in order to enhance cooperation in the area of advertising.

*Address:* R. Gregório Lopes, Lote 1515, Loja 6, PT-1400-408 Lisboa

*Phone:* +351 213037000

## 2. Consumer policies

### 2.1. CONSUMER PROTECTION LEGISLATION

In Portugal the main legislation regarding consumer protection is:

- Constitution of the Portuguese Republic - Article 60 - Consumer Rights;
- Decree-Law N° 23/96, July 26th - Essential public services;
- Law N° 24/96, July 31<sup>st</sup> - establishes the legal system applicable to Consumer Protection;
- Decree-Law N° 230/96, November 29th - Detailed Invoice for telephone services;
- Decree Law N° 220/95, January 31st - General Contractual clauses, amending previous legislation;
- Decree Law N° 154/97, June 20th - National Consumer Council;
- Decree-Law N° 275/98 , September 9th - Advertising Code - amendment of Code approved by Decree-Law N° 330/90, October 23rd;
- Law N° 6/99, January 27th - regulates Telemarketing, Advertising by telephone and fax;
- Decree-Law N° 162/99, May 13th - Indication of prices of goods and services - amendment to Decree-Law N° 138/90, April 26th;
- Decree-Law N° 143/2001, April 26th - transposes the Directive 97/7/CE about the Consumer Protection in Distance Contracts;
- Decree Law N° 67/2003, April 8th - Selling practices and guarantees;
- Decree-Law N° 7/2004, January 7th - transposes the Directive 2000/31/CE - Electronic Commerce;
- Decree-Law N° 68/2004, March 25th - establishes the Consumer's Advertising and Information for the purchase of Real Estate;
- Law N° 25/2004, January 27th - Actions on injunctions – transposing Directive 98/27/CE, May 19th;
- Decree-Law N° 69/2005, March 17th - General safety of products;
- Decree-Law N° 156/2005, September 15th - enlarges the scope of the obligation of presentation to the consumers of an “Livro de Reclamações” (Complaints Book);
- Decree-Law N° 82/2006, May 3rd - Compulsory legible indication of APR in all advertising for consumer's credit;
- Decree-Law N° 240/2006, December 22nd - Adjustment to the thousands of the interest rates in contracts related to housing loans for consumers;
- Decree-Law N° 171/2007, May 8th – Compulsory adjustment to the thousands of the interest rates in contracts related to housing loans for consumers - amendment of previous rules;
- Decree-Law N° 172/2007, May 6th - Safety of lighters in application of Commission's Decision N° 2006/502/CE, May 11th.
- Decree-Law N° 18/2007, January 22nd - Access to funds and ruling of the relevant dates in transfers and other movements related to banking financial services;
- Decree-Law N° 51/2007, March 7th - Transfer of housing loan contracts and limitation to the commissions that can be charged, including the ones related to the anticipated payment of the loans;
- Decree-Law N° 170/2005, October 10th - Indication of the retail price of liquid combustibles in gas stations;
- Decree-Law N° 81/2006, April 20th - Ruling of the activity of car parking including rules about the pricing of short term parking;

- Decree-Law N° 70/2007, March 26th - Promotional sales and sales with price reduction;
- Decree-Law N° 173/2007, May 8th - Travel agencies and organized travel;
- Decree-Law N° 133/2007, June 2<sup>nd</sup> - Credit to consumers - transposes Directive 2008/48/CE, April 23<sup>rd</sup>;
- Decree-Law N° 331/2007, October 9th - Sales of editions in collections;
- Decree-Law N° 205/2005, November 28th - Ruling of the activity of artificial tanning;
- Decree-Law N° 57/2008, March 26th - Unfair commercial practices, transposes Directive 2005/29/CE, May 11th;
- Decree-Law N° 72/2008, April 16th - Insurance contracts;
- Decree-Law N° 82/2008, May 20th - amendment to Decree-Law N° 143/2001, April 26th;
- Decree-Law N° 84/2008, May 21th - amendment to Decree-Law N° 67/2003, April 8th - Selling practices and guarantees;
- Law N° 24/2008, June 2nd - amendment to Law N° 23/96, July 26th;
- *Portaria* N° 1340/2008, November 26th - Creation of the “Fundo para a Promoção dos Direitos dos Consumidores” (Consumer Protection Fund), with the objective of supporting consumer protection activities;
- Decree-Law N° 118/2009, May 19th - amends Decree-Law N° 156/2005, September 15<sup>th</sup>, related to *Livro de Reclamações* (Complaints Book) and institutes the “Rede Telemática de Informação Comum” (RTIC – network of joint information) where the consumers complaints are nationally registered, for *online access* by both consumers and businesses;
- Decree-Law N° 119/2009, May 19th - Safety of playgrounds and leisure equipments;
- Decree-Law N° 108/2009, May 15th - Activities of touristic agent and touristic animators;
- Decree-Law N° 134/2009, June 2nd - Activity of “call centers” aimed at consumers;
- Decree-Law N° 192/2009, August 17th - Transparency of spread changes in housing loan contracts.

For further information regarding these laws and for other Portuguese laws, please consult the following Website site: <http://www.consumidor.pt>

## 2.2. CONSUMER ORGANISATIONS

- **Consumer Associations:**  
Regarding matters, actions or situations of interest for the monitoring of consumer rights, the Consumer Law (Law 24/96, July 31) states the following in article 18:

Consumer associations are entitled to:

- a) the statute of social partners in matters pertaining to consumer policy, (e.g. the designation of representatives for consultation or concertation bodies);
- b) the right to broadcast time on radio and television under the same terms as associations with the statute of social partners;
- c) the right to represent consumers in public hearings to be carried out in the course of decision making process which may affect consumer rights and interests;
- d) the right to request the competent administrative or judicial authorities to seize and withdraw goods from the market or to prohibit services which may damage consumers' rights and interests;
- e) the right to correct and reply to the contents of advertising messages relative to goods and services introduced into the market as well as requiring the competent authorities to withdraw fallacious and misleading advertising from the market;

- f) the right to access the administrative records and files of central, regional or local administration which contain data on the characteristics of consumer goods and services as well as to divulge information necessary to the protection of consumer interests.
- g) the right to clarification on the setting of prices of goods and services, whenever requested;
- h) the right to participate in the process of regulating prices for the supply of goods and provision of essential services, namely, water, electricity, gas, transport and telecommunications as well as to demand clarification as to the charges applied and the quality of services in order to give their opinion;
- i) the right to request official laboratories to carry out analyses on the composition and state of preservation and other characteristics of goods intended for public consumption and divulge the respective results. This service must be provided at cost price;
- j) the right to presume good faith as to information provided to them;
- k) the right of *actio popularis*;
- l) the right to complain and report as well as to be admitted to criminal proceedings in order to assist and defend the interests of a third party and follow up the proceedings for breach of regulatory ordinances, whenever requested, putting forward technical opinions, suggestion for reviews or production of more particular evidence until the process is ready for final decision;
- m) the right to be exempt from payment of costs, payment into court and stamp duties, under the terms of the Law n.º 83/95 of 31st of August;
- n) the right to receive support from the State, through central, regional and local administration for the pursuit of their ends, namely, in the exercise of their activity in the area of training, information and representation of consumers;
- o) the right to fiscal benefits similar to those granted to private charity institutions.

The consumer associations have legal standing to prevent, correct or stop any action against the consumer rights (articles 13 and 10 of Law 24/96, July 31).

### **2.3. INFORMATION AND EDUCATION**

The Consumer Education Network prioritizes co-coordinating efforts, sharing resources, preparing teaching materials and disseminating information to different bodies and members of the Network, for the education of consumers.

The founders of the consumer education network are the Consumer Directorate-General, that coordinates it, the Ministry of Education, the Portuguese Association for Consumer Protection (DECO), the General Union of Consumers (UGC) and the National Federation of Consumers Cooperatives (FENACOOOP), the latest being consumer associations.

Currently, the network has 56 members, 33 from schools and 23 associations (non-governmental associations, municipalities, local consumer information centers, parents' associations etc.).

For this purpose, several educational and pedagogical materials have been developed on food and product safety in order to be used in schools.

Under the protocol signed by the Consumer Directorate-General and the Portuguese Institute for Youth, DGC participates in actions directed to the education, information and awareness of young people on the economy (basics) and financial literacy.

DGC also cooperates with University of Aveiro in the development of an online education Project for adult consumers.

The Consumer Directorate-General has a home page (<http://www.consumidor.pt> ) which offers general and specific information to consumers.

The topic of consumer education is part of the curriculum of the students of basic and secondary schools in Portugal, DGC providing technical training in this area under the cooperation with the Ministry for Education.

Furthermore, the Consumer Directorate-General cooperates in international projects, namely with European partners.

Post-Graduation in Consumer Law:

Faculty of Law, Lisbon University (Consumer Law Institute).

Website: <http://www.fd.ul.pt/institutos/IDC.asp> ) <http://www.ul.pt/portal/page>

Consumer Law Centre at the Faculty of Law, Coimbra University.

Website: <https://woc.uc.pt/fduc>

## **2.4. INFORMATION GATHERING/RESEARCH**

- **The National Statistical Institute (INE)**

INE is the entity responsible for ensuring the production and dissemination of official statistical information in Portugal. It was created in 1935 as a public institution which has legal personality, administrative autonomy and technical independence in the exercise of its official statistical activity. Its mission is to produce and disseminate, in an effective, efficient and independent manner, high-quality official statistical information relevant for society as a whole.

Statistical confidentiality, which is mandatory, is intended to safeguard the privacy of citizens, preserve competition among economic agents and ensure the confidence of information providers in the statistical system.

*Address:* Av. António José de Almeida, PT-1000-043 Lisboa

*Phone:* +351 21 8426 100

*Fax:* +351 21 8426 380

*E-mail:* [ine@ine.pt](mailto:ine@ine.pt)

*Website:* [www.ine.pt](http://www.ine.pt)