

Decree-Law no. 128/2014

29 August

(Amended via Decree-Law no. 63/2015 of 23 April)

Hereby approves the legal regime for operating local lodging establishments

The local lodging framework was created by Decree-Law no. 39/2008 of 7 March, amended by Decree-Laws nos. 228/2009 of 14 September and 15/2014 of 23 January, in order to allow temporary accommodation services to be provided in establishments that do not meet the legal requirements for tourism enterprises.

This reality would come to be regulated via Order in Council no. 517/2008 of 25 June, subsequently amended via Order in Council no. 138/2012 of 14 May, which subsequent to the transposition of European Parliament and Council Directive no. 2006/123/EC of 12 December 2006 and via Decree-Law no. 92/2010 of 26 July, made it possible to register local lodging through the Point of Single Contact.

As such, Order in Council no. 517/2008 of 25 June provided for three types of local lodging establishments, i.e., apartment, villa and guest house, establishing some minimum requirements for safety and hygiene.

The goal of said Order in Council was to legislate several real situations in which accommodation services were offered to tourists without being governed by any formal framework and in violation of the law, while also ensuring that some of the establishments eliminated via Decree-Law no. 39/2008 of 7 March (namely boarding houses, motels and inns) that did not have the proper conditions to be considered tourism enterprises could still be allowed to provide accommodation services and thereby prevent them from being closed, with all of the underlying negative consequences.

However, the accommodation supply and demand market dynamic has led to the appearance and proliferation of a series of new accommodation realities that although formally similar to those stipulated in Order in Council no. 517/2008 of 25 June, require an updating of the legal framework applicable to local lodging because of its importance to tourism and confirmation of the fact that we are not dealing with a passing fad. Precisely because these new realities have appeared now, not as a residual phenomenon, but as a consistent and global phenomenon, this updating requires not only revision of the framework applicable to them, but also creating a specific legal framework that takes into account this circumstance.

As such, Decree-Law no. 15/2014 of 23 January, which implemented the second amendment to the legal framework on installation, operation and functioning of tourism enterprises, approved through Decree-Law no. 39/2008 of 7 March, which was previously amended through Decree-Law no. 228/2009 of 14 September, took on the need to authorize the local lodging framework in its own piece of legislation, in order to better adapt the still recent experience of this legislation to the reality of the situation in terms of the range of accommodation services.

This is what has been accomplished with the approval of the present decree-law, which elevates the local lodging framework from residual category to independent category, recognizing its relevance to tourism and initiating a specific legal treatment of it.

As such, tourism enterprises and local lodging are now two autonomous and individual concepts, making it impossible to include under the category of local lodging those establishments that comply with the requirements for tourism enterprises.

This autonomy therefore seeks to ensure that distinct products have distinct legal frameworks, treating equally that which is materially equal. The three types of local lodging are maintained (apartment, villa and guest house), although with regard to apartments and guest houses, changes were made for different reasons.

In the case of guest houses, whose applicable legislation has been updated, there is expected to be specific requirements for hostels, which require special characteristics. Without going into details that would prevent development and innovation of the product, the goal was essentially to create a legal framework and preserve a concept that was imposed in relation to tourism.

In the case of apartments, a type of accommodation that is increasingly more frequent in the tourism market around the world, amplified through digital advertising and brokerage, the present decree-law maintains and defends a significant amount of freedom with regard to offering the service, but it provides a taxation framework under the category of supply of accommodation services, thereby preventing this activity from evading taxation. The present decree-law also clarifies that each owner of the operation can only operate a maximum of nine units per building, notwithstanding the possibility of being able to operate more units, as long as this is done in accordance with the legal framework established for tourism apartments provided for under Decree-Law no. 39/2008 of 7 March, in accordance with the changes that were introduced via Decree-Law 15/2014 of 23 January.

Also with regard to fire safety, specificities have been implemented for local lodging establishments with less than 10 users, for which minimum requirements have been established.

As regards inspection powers and application of sanctions, the amendments already made via Decree-Law no. 15/2014 of 23 January to Decree-Law 39/2008 of 7 March were implemented, with such powers attributed to the Food and Economic Safety Authority (Autoridade de Segurança Alimentar e Económica - ASAE).

The government bodies of the Autonomous Island Regions, the Portuguese Tourism Confederation (Confederação do Turismo Português), the National Association of Portuguese Municipalities (Associação Nacional de Municípios Portugueses) and the National Data Protection Commission (Comissão Nacional de Proteção de Dados) were heard.

The hearing of the National Consumption Council (Conselho Nacional do Consumo) was required.

As such:

Under no. 3 of article 2 of Decree-Law no. 39/2008 of 7 March, amended via Decree-Laws nos. 228/2009 of 14 September and 15/2014 of 23 January and sub-paragraph a of no. 1 of article 198 of the Constitution, the government has decreed the following:

Chapter I

General provisions

Article 1

Object

The present decree-law establishes the legal framework for operating local lodging establishments.

Article 2

Concept of local lodging establishment

1 – “Local lodging establishments” are those that supply temporary accommodation services to tourists in exchange for remuneration and which meet the requirements stipulated in the present decree-law.

2 – It is prohibited for those establishments that meet the requirements to be considered tourism enterprises to operate as local lodging establishments, pursuant to Decree-Law no. 39/2008 of 7 March, amended via Decree-Laws nos. 228/2009 of 14 September and 15/2014 of 23 January.

Article 3

Types

1 – The local lodging establishments shall be categorized into one of the following categories:

- a) Villa;
- b) Apartment;
- c) Guest houses.

2 – A “villa” is a local lodging establishment in which the accommodation unit consists of an independent building to be used by a single family.

3 – An “apartment” is a local lodging establishment in which the accommodation unit consists of an independent unit of a building or part of an urban building subject to independent use.

4 – A “guest house” is a local lodging establishment in which the accommodation units consist of rooms.

5 – Notwithstanding no. 6 of article 33, guest houses can use the name “hostel” if they meet the requirements stipulated in article 14, which add to the requirements stipulated for all other establishments.

Article 4

Rendering of accommodation services

1 – For all intents and purposes, operation of a local lodging establishment corresponds to the rendering, by a natural person or legal person of accommodation services.

2 – It is presumed that there is operation and brokerage of a local lodging establishment when the following occurs with regard to a building or unit that is part of it:

- a) It is advertised, made available or the object of brokerage by any form, entity or means, namely travel and tourism agencies or websites as an accommodation for tourists or as temporary accommodation; or
- b) They are furnished and equipped and the general public is offered in addition to overnight stay, supplementary accommodation services, namely cleaning or reception for periods of less than 30 days.

3 – The presumption referred to in the previous number may be refuted pursuant to the general terms of the law, namely by exhibiting an urban rental agreement duly registered at the taxation office.

Chapter II

Registration of establishments

Article 5

Registration

1 – Registration of local lodging establishments is made through mere prior communication made to the President of the Municipal Council that has jurisdiction over the territory in accordance with the following article.

2 – Mere prior communication shall be made exclusively through the Point of Single Contact provided for in article 6 of Decree-Law no. 92/2010 of 26 July, which allocates a number to each request, which for the purpose of the present decree-law is the registration number for the local lodging and which is automatically communicated to Turismo de Portugal, I. P. for the purposes of article 10.

3 – Mere prior communication is obligatory and a necessary condition for operating local lodging establishments.

Article 6º

Mere prior communication

1 – Mere prior communication addressed to the President of the Municipal Council must contain the following information:

- a) Authorization for use or valid usage title for the building;
- b) Identification of the titleholder of the establishment's operation, mentioning the name or company name and tax number;
- c) The address of the titleholder of the establishment's operation;
- d) Name adopted by the establishment and its address;
- e) Capacity (rooms, beds and users) of the establishment;
- f) Intended date of opening to the public;
- g) Name, address and telephone number of the person to contact in case of emergency.

2 – Mere prior communication must be accompanied by the following documents:

- a) Simple copy of the identification document of the titleholder of the establishment's operation if he or she is an individual person, or indication of the access code for the permanent certificate of the commercial registry if it is a legal person;
- b) Statement of responsibility signed by the titleholder of the establishment's operation attesting to the building or its independent unit's compliance with regard to supplying accommodation services and that they respect all applicable legal and regulatory standards;
- c) Simple copy of the land tax registration certificate (caderneta predial urbana) for the building in question, in the event that the requesting party owns the building;
- d) Simple copy of the rental agreement or other title that legally entitles the titleholder of the operation to exercise the activity and if the rental agreement or other document does not contain prior authorization for providing accommodation services, simple copy of the document containing such authorization;
- e) Simple copy of the statement of initiation or change in activity of the titleholder of the establishment's operation for exercising the activity of providing accommodation services corresponding to section I, sub-classes 55201 or 55204 of the Portuguese Classification of Economic Activities, Revision 3, approved via Decree-Law no. 381/2007 of 14 November, submitted to the Taxation and Custom's Authority (Autoridade Tributária e Aduaneira - AT).

3 – The titleholder of the establishment's operation shall be obliged to keep all communicated data updated and shall undertake this updating via the Points of Single Contact within a maximum of 10 days after any change has occurred.

4 – Stoppage in the operation of the local lodging establishment shall be communicated via the Point of Single Contact within a maximum period of 60 days after its occurrence.

5 – Statements of responsibility signed by the titleholder of the local lodging establishment's operation that are false shall be punishable under article 256 of the [Portuguese] Criminal Code.

6 – Mere prior communication and the communications provided for under nos. 3 and 4 shall automatically be sent to Turismo de Portugal, I.P. and shall be exempt from taxes.

7 – The titleholder of the establishment's operation shall be exempted from submitting the documents stipulated in the present decree-law and all those that are in the possession of any service and body of

the Public Administration when he or she gives his or her consent for the municipal council to obtain it via the Public Administration Interoperability Platform (Plataforma de Interoperabilidade da Administração Pública - iAP).

Article 7

Public opening title

The document issued by the Point of Single Contact by the services containing the registration number of the local lodging establishment shall be the only valid public opening title.

Article 8

Inspection

1 – The municipal council with jurisdiction shall undertake an inspection to verify compliance with the requirements established in article 6 within a period of 30 days after the mere prior communication is submitted, notwithstanding other inspection powers that it legally may have.

2 – The municipal council may request that Turismo de Portugal, I. P., perform inspections to verify compliance with no. 2 of article 2 at any time.

Article 9

Cancellation of registration

1 – The President of the Municipal Council with jurisdiction may cancel the registration if any information or document of the mere communication is non-compliant.

2 – Cancellation of the registration shall lead to immediate ceasing of the establishment's operation, notwithstanding the right to prior hearing.

3 – Cancellation of the registration shall be immediately communicated to Turismo de Portugal, I. P. and the Food and Economic Safety Authority (Autoridade de Segurança Alimentar e Económica - ASAE) by the municipal council with territorial jurisdiction.

Article 10^o

Information

1 – Information automatically sent to Turismo de Portugal, I.P. in accordance with no. 2 of article 5 and article 6, namely the name and capacity of the establishment, the cadastre article of the building in which the establishment is located, the name or corporate name and tax number of the declarant, and if different from that of the declarant, the name or corporate name and tax number of the titleholder of the establishment's operation shall be sent every six months by Turismo de Portugal, I.P. to the Taxation and Custom's Authority (Autoridade Tributária e Aduaneira - AT), in accordance with the protocol signed between the two entities.

2 – Before signing the protocol mentioned in the previous number, its content must be communicated to the National Data Protection Commission (Comissão Nacional de Proteção de Dados) for the purpose of issuing a prior opinion.

3 – The municipal council with territorial jurisdiction guarantees that the owner of the data shall be entitled to access, correct and eliminate said data and shall also have the duty to enforce the legality of

the consultation or communication of the information pursuant to article 11 of Law no. 67/98 of 26 October.

4 – The information exchange referred to in the previous numbers shall be performed via the Public Administration Interoperability Platform (Plataforma de Interoperabilidade da Administração Pública - iAP).

5 - Turismo de Portugal, I. P. shall provide information regarding local lodging establishments on its website.

Chapter III

Requirements

Article 11^o

Capacity

1 – The maximum capacity of local lodging establishments shall be nine rooms and thirty users, with the exception of those considered hostels.

2 – The same proprietor or titleholder of the operation shall be prevented from operating more than nine local lodging establishments in the “apartment” category per building, if the number of said establishments is greater than 75% of the number of units existing in the building.

3 – If the number of local lodging establishments is greater than nine within the same building, Turismo de Portugal, I.P. may at any time conduct an inspection for the purpose of verifying compliance with no. 2 of article 2, notwithstanding all other procedures provided for under the present decree-law.

4 – When making the calculation referred to in no. 2, local lodging establishments classified under the “apartment” category registered under the name of the spouse, descendants or ascendants of the proprietor or titleholder of the operation and those registered under the name of different legal persons that have common partners shall be included.

Article 12

General requirements

1 – The local lodging establishments shall comply with the following requirements:

- a) Offer adequate conditions for the preservation and functioning of the facilities and equipment;
- b) Must be connected to the public water supply grid or equipped with a private water supply system with duly controlled origin;
- c) Must be connected to the public sewage grid or equipped with septic tanks in a size appropriate for the maximum capacity of the establishment.
- d) Must be equipped with hot and cold running water.

2 – The accommodation units of the local lodging establishments must:

- a) Have a window or balcony with direct access to the outside, ensuring suitable conditions for ventilation and air;
- b) Be equipped with adequate furniture, equipment and utensils;
- c) Be equipped with a systems that keeps light from the outside from getting in.

d) Be equipped with doors that have a security system that ensures the privacy of users.

3 – The sanitary installations of the local lodging establishments shall have a security system that guarantees privacy.

4 – Local lodging establishments shall always meet hygiene and cleanliness conditions.

Article 13

Safety requirements

1 – Notwithstanding the following number, local lodging establishments shall comply with safety regulations protecting against risk of fire, pursuant to Decree-Law no. 220/2008 of 12 November and the technical regulations stipulated in Order in Council no. 1532/2008 of 29 December.

2 – The provisions of the previous number shall not apply to local lodging establishments with a capacity equal to or less than 10 users, and must be equipped with the following:

a) Extinguisher and fire blanket accessible to users;

b) First aid equipment accessible to users;

c) Indication of the national emergency number (112) in a location that is visible to users.

Article 14

Hostel

1 – The name “hostel” can only be used for local lodging establishments mentioned in sub-paragraph c) of no. 1 of article 3 whose main accommodation unit is a dormitory, it being considered “main” whenever the number of users in the dormitory is greater than the number of users of a room.

2 – Dormitories shall consist of a minimum of four beds.

3 – The number of beds of the dormitories may be less than four if they are in bunk bed format.

4 – The dormitories shall have direct ventilation and lighting with the outside through a window.

5 – Dormitories shall have an individual compartment per bed with a closing system and minimum interior dimensions of 55 cm x 40 cm x 20 cm.

6 – The local lodging establishments referred to in no. 1 shall have common social areas, kitchen and eating area, freely accessible to the guests.

7 – The sanitary installations may be common to various rooms and dormitories and may be mixed or separated by gender.

8 – In the sanitary installations common to various rooms, when not separated according to gender, the showers shall consist of independent spaces separated by doors with interior lock.

Article 15

Commercial establishments and establishments that supply services

In the local lodging establishments referred to in sub-paragraph c) of no. 1 of article 3, commercial establishments and establishments that provide services may be created, as long as the usage authorization permits, including restaurant and beverage establishments, notwithstanding compliance with the specific requirements stipulated in all other legislation applicable to such establishments.

Chapter IV
Operation and functioning

Article 16

Titleholder of the local lodging establishment's operation

- 1 – All local lodging establishments must have a titleholder of the establishment's operation, who is responsible for providing accommodation services.
- 2 – The titleholder of the local lodging can be an individual or legal person.
- 3 – Notwithstanding other obligations provided for under the present decree-law, the titleholder of the local lodging establishment's operation shall respond, regardless of fault, for the damages caused to the recipients of services or third parties ensuing from the activity of supplying accommodation services in non-compliance or violation of the statement of responsibility referred to in sub-paragraph b) of no. 2 of article 6.

Article 17

Identification and advertising

- 1 – The establishments mentioned in the present decree-law shall identify themselves as local lodging establishments and under no circumstances may they use the term tourism establishment or the name of any type of tourism establishment, or any type of classification system.
- 2 – Advertising, commercial documentation and merchandising of local lodging establishments shall indicate the respective name or logo and registration number and cannot suggest any characteristics that the establishments do not possess, nor suggest that they are part of any of the types of tourism enterprises stipulated in Decree-Law no. 39/2008 of 7 March, amended via Decree-Law nos. 228/2009 of 14 September and 15/2014 of 23 January.
- 3 – Only guest houses with the requirements stipulated in article 14 can use the word "hostel" in their name, advertising, commercial documentation or merchandising.

Article 18

Identification sign

- 1 – For the local lodging establishments stipulated in sub-paragraph c) of no. 1 of article 3 it shall be obligatory to post an identification sign outside next to the main entrance.
- 2 – The format and characteristics of the identification sign shall be listed in the annex to the present decree-law.

Article 19

Operating schedule

- 1 – Notwithstanding legal or contractual provisions, local lodging establishments are free to establish their operating schedules.
- 2 – The operating schedule of local lodging establishments provided for in sub-paragraph c) of no. 1 of article 3, shall be duly advertised, except when the establishment is open every day of the year.

Article 20
Complaints book

1 - Local lodging establishments shall have a complaints book in accordance with the terms and conditions established in Decree-Law no. 156/2005 of 15 September, amended via Decree-Laws nos. 371/2007 of 6 November, 118/2009 of 19 May, 317/2009 of 30 October and 242/2012 of 7 November.

2 – The original copy of the complaints sheet shall be sent to the Food and Economic Safety Authority (Autoridade de Segurança Alimentar e Económica - ASAE) in accordance with the terms stipulated in the legislation referred to in the previous number.

Chapter V
Inspection and sanctions

Article 21º
Inspection

1 – The Food and Economic Safety Authority (Autoridade de Segurança Alimentar e Económica - ASAE) shall be responsible for inspecting compliance with the provisions of the present decree-law, along with guiding the respective proceedings and applying the respective fines and accessorial sanctions.

2 – In accordance with applicable legislation, the Taxation and Custom's Authority (Autoridade Tributária e Aduaneira - AT) shall be responsible for inspecting compliance with the tax obligations ensuing from the activity performed under the present decree-law, namely by using information received in accordance with article 10.

3 – At any moment, the Food and Economic Safety Authority (Autoridade de Segurança Alimentar e Económica - ASAE) may request that Turismo de Portugal, I. P. conduct inspections to verify compliance with no. 2 of article 2.

4 – If following the inspection referred to in the previous number, in no. 2 of article 8 or no. 3 of article 11, it is concluded that there was failure to comply with the provisions of no. 2 of article 2, Turismo de Portugal, I.P. shall establish an extendable period of no less than 30 days, so that the establishment may initiate the legally required process of authorizing usage for tourism purposes.

5 – At the end of the time period established in the previous number if the establishment has not initiated the process for authorizing usage for tourism purposes, Turismo de Portugal, I. P. shall, for the purposes stipulated in article 28, inform the Food and Economic Safety Authority (Autoridade de Segurança Alimentar e Económica - ASAE), the relevant municipal council with jurisdiction and the Taxation and Custom's Authority (Autoridade Tributária e Aduaneira - AT).

Article 22
Taxation infractions

Failure to comply with the tax obligations resulting from the exercised activity under the present decree-law shall constitute a taxation infraction pursuant to the terms of the General Framework for Taxation Infractions (Regime Geral das Infrações Tributárias), approved via Law no. 15/2001 of 5 June.

Article 23
Administrative offences

1 – The following are considered administrative offences:

- a) Offering, making available, advertising and brokering local lodging establishments that are unregistered or whose registrations are out of date;
- b) Offering, making available, advertising and brokering local lodging establishments in violation, disrespect or non-compliance with:
 - i) The rental agreement;
 - ii) The operation authorization;
- c) Practicing client recruitment acts for local lodging establishments that are unregistered or whose registrations have not been updated;
- d) Violation of the provisions of nos. 3 and 4 of article 6;
- e) Violation of the provisions of nos. 1 and 2 of article 11.
- f) Failure by the local lodging establishment to comply with the requirements stipulated in articles 12 to 14;
- g) Violation of the identification and advertising rules in accordance with article 17;
- h) Failure to affix the identification sign as stipulated in article 18;
- i) Failure to advertise the operating schedule as stipulated in article 19;
- j) Violation of the provisions of no. 4 of article 33.

2 – The administrative offences stipulated in sub-paragraphs a) to e) of the previous number shall be punishable with a fine of (euro) 2,500 to (euro) 3,740.98 in the case of individual persons and (euro) 25,000 to (euro) 35,000 in the case of a legal person.

3 – The administrative offences stipulated in sub-paragraphs f) and g) of no. 1 shall be punishable with a fine of (euro) 125 to (euro) 3,250 in the case of an individual person and (euro) 1,250 to (euro) 32,500 in the case of a legal person.

4 – The administrative offences stipulated in sub-paragraphs h) to j) of no. 1 shall be punishable with a fine of (euro) 50 to (euro) 750 in the case of an individual person and (euro) 250 to (euro) 7,500 in the case of a legal person.

Article 24

Accessory sanctions

Depending on the gravity and fault of the person involved, the following accessory sanctions may be applied:

- a) Apprehension of the material through which the infraction was committed;
- b) Suspension, for a period of up to two years from exercising the activity directly related to the infraction committed;
- c) Closure for a maximum period of two years of the establishment or the facilities where the accommodation, client recruitment or local lodging establishments brokerage services are being practiced.

Article 25

Negligence and attempt

1 – Negligence shall be punishable; however, the minimum and maximum limits of the fines shall be reduced to half.

2 – Attempt shall be punishable with the fine that is applicable to an administrative offence that has in fact been consummated, specially attenuated.

Article 26

Subsidiary framework

The administrative offences stipulated in the present decree-law shall be subject to the general framework for administrative offences included in Decree-Law no. 433/82 of 27 October, amended via Decree-Laws nos. 356/89 of 17 October, 244/95 of 14 September and 323/2001 of 17 December, and via Law no. 109/2001 of 24 December.

Article 27

Revenue from fines

The revenue from applied fines shall be distributed as follows:

- a) 60% to the State;
- b) 40% to the inspection entity.

Article 28

Interdiction of operation

The Food and Economic Safety Authority (Autoridade de Segurança Alimentar e Económica - ASAE) shall have the power to determine temporary interdiction of operation of the local lodging establishments in whole or in part, pursuant to no. 5 of article 21 or when the lack of compliance with applicable legal provisions affects the safety of users or public health, notwithstanding the powers allocated to other entities under the law.

Chapter VI

Final and transitory provisions

Article 29

Amendment of Decree-Law no. 39/2008 of 7 March

Article 30

Amendment of Decree-Law no. 61/2011 of 6 May

Article 31

Information technology system

1 – The proceedings and formalities provided for in the present decree-law shall be processed by computer using the Point of Single Contact mentioned in articles 5 and 6 of Decree-Law no. 92/2010 of

26 July, accessible via the Point of Single Contact at the Turismo de Portugal, I. P. and municipal council websites.

2 – When for reasons of unavailability of the electronic platforms it is not possible to comply with the previous number, communications may take place using other digital media or using paper, with a temporary registration number being granted by the municipal council with territorial jurisdiction.

3 - Proof of delivery of any one of the communications referred to in the previous number and the temporary registration number when attributed, shall be used for the purposes stipulated in article 7 until the registration number referred to in no. 5 is made available.

4 - In the case provided for in no. 2, the communication shall be sent simultaneously to Turismo de Portugal, I. P..

5 – The final number shall be attributed after entering the data listed in the mere prior communication into the Point of Single Contact by the municipal council with territorial jurisdiction within a period of five business days as of the stoppage in availability.

6 – Until the final registration number is attributed, the local lodging establishments shall be dispensed from the obligation of indicating the registration number in their advertising, notwithstanding compliance with all other obligations stipulated in no. 2 of article 17.

7 – The procedures and formalities stipulated in the present article shall be exempt from charges.

Article 32

Autonomous Regions

1 - The framework provided for in the present decree-law shall apply to the Autonomous Regions of the Azores and Madeira, notwithstanding adaptations resulting from the specific structure of the regional autonomous administration.

2 – The revenue obtained from the fines collected in the Autonomous Regions within the scope of application of the present decree-law as regards the percentage applicable to the State, shall constitute own revenue belonging to the Autonomous Regions.

Article 33

Transitory provisions

1 - The local lodging number provided for in no. 2 of article 5 shall be made available by the Point of Single Contact within a period of 30 days after the present decree-law comes into force.

2 – In the case of local lodging establishments registered at the date when the present decree-law comes into force pursuant to Order in Council no. 517/2008 of 25 June, amended via Order in Council no. 138/2012 of 14 May, the municipal councils with territorial jurisdiction shall be responsible for entering the necessary data into the Point of Single Contact and for attributing a new registration number to the respective titleholders,

3 – Until the new registration number is made available, the local lodging establishments referred to in the previous number shall be dispensed from the obligation of indicating their registration number in their advertising, notwithstanding compliance with all other obligations stipulated in no. 2 of article 17.

4 – The titleholders of the local lodging establishments referred to in no. 2 who have not yet done so, must, within a period of 30 days after the present decree-law comes into force, submit the documentation provided for in sub-paragraph e) of no. 2 of article 6 to the municipal council with jurisdiction over the

territory, which in turn shall forward it to Turismo de Portugal, I. P. for the purposes stipulated in article 10, all other requirements stipulated in nos. 1 and 2 of article 6 shall not be applicable.

5 – The requirements provided for in article 11 shall not apply to the local lodging establishments referred to in no. 2 or to those that register pursuant to no- 4 of article 75 of Decree-Law no. 39/2008 of 7 March, amended via Decree-Laws nos. 228/2009 of 14 September and 15/2014 of 23 January.

6 – The local lodging establishments referred to in no. 2 that use the name “hostel” shall have five days, counting from the date the present decree-law comes into force, in order to comply with the requirements provided for in article 14.

7 – The present decree-law shall apply to the procedures underway, notwithstanding the safeguarding of the acts practiced before its coming into force within the scope of requests for prior control submitted at the municipalities for later operation of a building within the local lodging framework.

Article 34

Revocatory norm

1 – Article 3, along with sub-paragraph d) of no. 2 of article 22 and sub-paragraph b) of no. 1 of article 67, all of Decree-Law 39/2008 of 7 March, amended via Decree-Laws nos. 228/2009 of 14 September and 15/2014 of 23 January, have been revoked,

2 – Order in Council no. 517/2008 of 25 June has been revoked, amended via Order in Council no.138/2012 of 14 May.

Article 35

Coming into force

The present decree-law shall come into force 90 days after its publication.

Seen and approved by the Cabinet on 12 June 2014. -- *Pedro Passos Coelho* -- *Maria Luís Casanova Morgado Dias de Albuquerque* -- *Leonardo Bandeira de Melo Mathias* -- *Jorge Manuel Lopes Moreira da Silva*.

Promulgated on 21 August 2014.

To be published.

The President of the Republic, Aníbal Cavaco Silva.

Ratified on 26 August 2014.

The Prime Minister, Pedro Passos Coelho.

Annex

(referred to in no. 2 of article 18)

The identification sign for the local lodging establishments shall be made of acrylic crystal, transparent material, extruded and polished, 10 mm thick, complying with the following characteristics:

a) Size: 200 mm x 200 mm;

b) Font: Arial 200, dark blue (pantone 280);

c) Application with a distance of 50 mm from the wall using stainless steel screws in each corner, measuring 8 mm in diameter and 60 mm in length.

Format of Identification Sign

(see original document)

(Local Lodging)

Translation - Turismo de Portugal IP, December 2017