

Unfair Commercial Practices Directive (2005/29) - Portugal

National Law

Decree Law No. 446/85 of 25 February 1985

Adoption date for national laws: Fri Oct 25 00:00:00 CET 1985

In force date: Fri Jan 01 00:00:00 CET 9999

Decree Law No. 138/90 of 26 April 1990

Adoption date for national laws: Thu Apr 26 00:00:00 CEST 1990

In force date: Fri Jan 01 00:00:00 CET 9999

Decree-Law No. 330/90

Adoption date for national laws: Tue Oct 23 00:00:00 CET 1990

In force date: Tue Oct 30 00:00:00 CET 1990

Decree-Law No 330/90, of 23 de October

Adoption date for national laws: Tue Oct 23 00:00:00 CET 1990

In force date: Tue Oct 23 00:00:00 CET 1990

Decree-Law No. 275/93, of 5 August 1993

Adoption date for national laws: Thu Aug 05 00:00:00 CEST 1993

In force date: Thu Aug 05 00:00:00 CEST 1993

Consumer Protection Act No. 24/96

Adoption date for national laws: Sun Jul 07 00:00:00 CEST 1996

In force date: Fri Jan 01 00:00:00 CET 9999

Decree-Law no. 67/2003, of 8 April

Adoption date for national laws: Thu Feb 20 00:00:00 CET 2003

In force date: Tue Apr 08 00:00:00 CEST 2003

Decree-Law No. 57/2008, of 26 March

Adoption date for national laws: Wed Mar 26 00:00:00 CET 2008

In force date: Fri Jan 01 00:00:00 CET 9999

Decree-Law No. 57/2008

Adoption date for national laws: Wed Mar 26 00:00:00 CET 2008

In force date: Tue Apr 01 00:00:00 CEST 2008

PDF: [Portugal UCP-EN_en.pdf](#)

Decree-Law No. 61/2011, of 6 May 2011

Adoption date for national laws: Thu May 26 00:00:00 CEST 2011

In force date: Fri Jan 01 00:00:00 CET 9999

Decree Law no. 24/2014, of 14 February

Adoption date for national laws: Mon Jul 28 00:00:00 CEST 2014

In force date: Fri Jan 01 00:00:00 CET 9999

Decree-Law nr. 275/93 of August 5 as amended by Decree-Law nr. 180/99, of May 22, and Decree-Law nr 22/2002

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Tue Aug 10 00:00:00 CEST 1993

Law No. 25/2004 of 8 July

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Wed Oct 06 00:00:00 CEST 2004

PDF: [legislation290_en_en.pdf](#)

Decree-Law No. 143/2001 of 26 April

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Sat May 26 00:00:00 CEST 2001

DL 37/2011 of 10 March 2011

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Fri Jan 01 00:00:00 CET 9999

Consumer Protection Act No. 24/96

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Sun Jul 07 00:00:00 CEST 1996

Decree-Law No 138/90 of April 26 as amended by Decree-Law Nr. 162/99 of Mai 13

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Tue Jan 01 00:00:00 CET 1991

Decree-Law 446/85, of October 25, as amended by DL 220/95 of August 31, rectified by Declaration 114-B/95, of August 31, and amended also by DL 249/99 and by DL 323/2001, of December 17.

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Sat Feb 22 00:00:00 CET 1986

Decree Law No 67/2003 of 8 April, modified by Decree-Law No. 84/2008 of 21 May 2008

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Wed Apr 09 00:00:00 CEST 2003

PDF: [legislation291_en_en.pdf](#)

Civil Code

Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999

In force date: Fri Nov 25 00:00:00 CET 1966
Decree-Law No. 234/99
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999
Constitution of the Portuguese Republic
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999
DL 126-C/2011
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999
Decree-Law 61/2011 of 06 May
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999
Decree-Law nr 198/93, of May 27 modified by Decree-Law 12/99 of 11 January
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Tue Jan 12 00:00:00 CET 1999
DL 57/2008
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999
Law No 83/95 of 31 August
Adoption date for national laws: Fri Jan 01 00:00:00 CET 9999
In force date: Fri Jan 01 00:00:00 CET 9999

Enforcement System

No results available

Cases

13J/2013
National ID: 13J/2013
Common Name: 13J/2013
Directive Part: Chapter 2, Article 5, 2., (b) Chapter 2, Section 1, Article 6, 1., (b)
Decision type: Other
Decision date: Sun Jan 01 00:00:00 CET 2012
14J/2012
National ID: 14J/2012
Common Name: 14J/2012
Directive Part: Chapter 2, Section 1, Article 6, 1., (b)
Decision type: Other
Decision date: Wed Oct 17 00:00:00 CEST 2012
18J/2012
National ID: 18J/2012
Common Name: 18J/2012
Directive Part: Chapter 2, Section 1, Article 6, 1., (b) Chapter 2, Section 1, Article 6, 1., (g)
Decision type: Other
Decision date: Mon Nov 05 00:00:00 CET 2012
2J/2013
National ID: 2J/2013
Common Name: 2J/2013
Directive Part: Chapter 2, Section 1, Article 6, 1., (b) Chapter 2, Article 5, 1.
Decision type: Other
Decision date: Fri Mar 01 00:00:00 CET 2013
5J/2012
National ID: 5J/2012
Common Name: 5J/2012
Directive Part: Chapter 2, Section 1, Article 6, 2., (b) Chapter 2, Article 5, 1.
Decision type: Other
Decision date: Wed Apr 04 00:00:00 CEST 2012
6J/2012
National ID: 6J/2012
Common Name: 6J/2012
Directive Part: Chapter 2, Section 1, Article 6, 1., (b)
Decision type: Other
Decision date: Mon May 07 00:00:00 CEST 2012
9J/2012
National ID: 9J/2012

Common Name: 9J/2012

Directive Part: Chapter 2, Article 5, 2., (b) Chapter 2, Section 1, Article 6, 1., (b)

Decision type: Other

Decision date: Tue May 01 00:00:00 CEST 2012

22J/2010

National ID: [22J/2010](#)

Common Name: Cabovisão vs. PT Comunicações

Directive Part: Chapter 2, Section 1, Article 7, 1. Chapter 2, Section 1, Article 6, 1.

Decision type: Other

Decision date: Fri Oct 08 00:00:00 CEST 2010

Caso Exemplar 2/2009

National ID: [Caso Exemplar 2/2009](#)

Common Name: link

Directive Part: Chapter 4, Article 15, 1.

Decision type: Administrative decision, first degree

Decision date: Thu Jan 01 00:00:00 CET 2009

7/2009-JP

National ID: [7/2009-JP](#)

Common Name: link

Directive Part: Chapter 2, Section 1, Article 7, 2. Chapter 2, Section 1, Article 6, 1.

Decision type: Court decision, first degree

Decision date: Mon May 25 00:00:00 CEST 2009

link

National ID: [link](#)

Common Name: link

Directive Part: Chapter 2, Section 1, Article 6 link Chapter 2, Article 5

Decision type: Administrative decision, first degree

Decision date: Tue Jun 09 00:00:00 CEST 2009

7J/2010

National ID: [7J/2010](#)

Common Name: link

Directive Part: Chapter 2, Section 1, Article 6, 2., (b) Chapter 2, Article 5, 2.

Decision type: Other

Decision date: Mon Apr 19 00:00:00 CEST 2010

8J/2010

National ID: [8J/2010](#)

Common Name: link

Directive Part: Chapter 2, Article 5, 2., (b) Chapter 2, Section 1, Article 6, 1., (b) Chapter 2, Article 5, 2.

Decision type: Other

Decision date: Wed Apr 21 00:00:00 CEST 2010

285/2009-JP

National ID: [285/2009-JP](#)

Common Name: link

Directive Part: Chapter 2, Section 1, Article 7, 1. Chapter 2, Section 1, Article 6, 1. Annex I, 18.

Decision type: Court decision, first degree

Decision date: Fri May 28 00:00:00 CEST 2010

ERS/084/08

National ID: [ERS/084/08](#)

Common Name: link

Directive Part: Chapter 2, Section 1, Article 7, 2. Chapter 2, Section 1, Article 6, 2. Chapter 2, Section 1, Article 6, 1., (f) Chapter 2, Article 5, 2.

Decision type: Court decision, first degree

Decision date: Fri Jul 30 00:00:00 CEST 2010

18J/2010

National ID: [18J/2010](#)

Common Name: link

Directive Part: Chapter 2, Section 1, Article 6, 1.

Decision type: Other

Decision date: Wed Sep 08 00:00:00 CEST 2010

19J/2010

National ID: [19J/2010](#)

Common Name: link

Directive Part: Chapter 2, Section 1, Article 6, 2., (a) Chapter 2, Article 5, 4., (a) Chapter 2, Section 1, Article 7, 1.

Decision type: Other

Decision date: Mon Sep 20 00:00:00 CEST 2010

2J/2011

National ID: [2J/2011](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 6, 1.

Decision type: Other

Decision date: Thu Feb 10 00:00:00 CET 2011

3J/2011

National ID: [3J/2011](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 6, 1. Annex I, 6.

Decision type: Other

Decision date: Fri Feb 25 00:00:00 CET 2011

76/2011-JP

National ID: [76/2011-JP](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 7, 1.

Decision type: Court decision, first degree

Decision date: Thu Jun 30 00:00:00 CEST 2011

12J/2011

National ID: [12J/2011](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 6, 2., (b) Chapter 2, Section 1, Article 7, 4. Chapter 2, Article 5, 4., (a) Chapter 2, Section 1, Article 6, 1., (c) Annex I, 4.

Decision type: Other

Decision date: Wed Aug 10 00:00:00 CEST 2011

4594-05.6TVLSB.L1-6

National ID: [4594-05.6TVLSB.L1-6](#)

Common Name: [link](#)

Directive Part: Chapter 2, Section 1, Article 6 [link](#)

Decision type: Court decision in appeal

Decision date: Thu May 12 00:00:00 CEST 2016

[link](#)

National ID: [link](#)

Common Name: [link](#)

Directive Part: [link](#) Chapter 2, Section 1, Article 6, 1.

Decision type: Administrative decision, first degree

Decision date: Mon Oct 03 00:00:00 CEST 2016

28J/2010

National ID: [28J/2010](#)

Common Name: Optimus Telecomunicações vs. Vodafone Portugal

Directive Part: Chapter 2, Section 1, Article 6, 1., (a)

Decision type: Other

Decision date: Mon Dec 20 00:00:00 CET 2010

Legal Literature

Revista Portuguesa de Direito do Consumo n. 48

Reference: [Revista Portuguesa de Direito do Consumo n. 48](#)

Title: Advertising and Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005, concerning unfair business-to-consumer commercial practices in the internal market

Author: ALVES, J

Publication Year: 2006

Revista Portuguesa de Direito do Consumo n. 44 (Dezembro 2005), p. 17-93

Reference: [Revista Portuguesa de Direito do Consumo n. 44 \(Dezembro 2005\), p. 17-93](#)

Title: The «loyalty» in trade or the misadventures of a Community initiative (critical review of Directive 2005/29/EC)

Author: LIZ, J. P.

Publication Year: 2005

Do consumidor médio, Junho 2012, Universidade Católica Portuguesa, Faculdade de Direito - Escola de Lisboa

Reference: [Do consumidor médio, Junho 2012, Universidade Católica Portuguesa, Faculdade de Direito - Escola de Lisboa](#)

Title: The average consumer

Author: FONSECA, M. A.

Publication Year: 2012

N/A

Reference: [N/A](#)

Title: The General Clause of the unfair commercial practices of companies towards consumers

Author: H. T. R. RODRIGUES

Publication Year: 2008

Revista Portuguesa de Direito do Consumo, December 2008, Number 56, pages 83-120

Reference: [Revista Portuguesa de Direito do Consumo, December 2008, Number 56, pages 83-120](#)

Title: The Protection of Vulnerable Consumers in the Unfair Commercial Practices: Review of Directive 2005/29/EC and Decree-Law 57/2008

Author: H. T. R. RODRIGUES

Publication Year: 2008

Estudos em homenagem ao Professor Doutor Carlos Ferreira de Almeida - Vol. I, 2011, pages 569-585

Reference: [Estudos em homenagem ao Professor Doutor Carlos Ferreira de Almeida - Vol. I, 2011, pages 569-585](#)

Title: The transposition of the Unfair Commercial Practices Directive through Decree-Law No. 57/2008, of March 26th

Author: A. SOVERAL MARTINS

Publication Year: 2011

Revista da Ordem dos Advogados, 2011, 423-446

Reference: [Revista da Ordem dos Advogados, 2011, 423-446](#)

Title: The Unfair Commercial Practices in Consumer Relations

Author: L. M. T. M. LEITÃO

Publication Year: 2011

Revista de Direito das Sociedades, Ano III (2011) – Número I, Director: António Menezes Cordeiro, pages 187-219

Reference: [Revista de Direito das Sociedades, Ano III \(2011\) – Número I, Director: António Menezes Cordeiro, pages 187-219](#)

Title: Unfair business-to-consumer commercial practices

Author: J. MORAIS CARVALHO

Publication Year: 2011

Direito do Consumo – Centro de Estudos Judiciários (CEJ), pp 133 - 140

Reference: [Direito do Consumo – Centro de Estudos Judiciários \(CEJ\), pp 133 - 140](#)

Title: Unfair commercial practices in the light of consumer protection

Author: RODRIGUES, L. S.

Publication Year: 2014

Homenagem da Faculdade de Direito de Lisboa ao Professor Doutor Inocêncio Galvão Telles, 90 Anos

Reference: [Homenagem da Faculdade de Direito de Lisboa ao Professor Doutor Inocêncio Galvão Telles, 90 Anos](#)

Title: Unfair Competition and Consumer Protection: Directive 2005/29/EC

Author: CRISTAS, A.

Publication Year: 2007

Other material

No results available