

## 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

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## Enforcement System

No results available

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## 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

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## 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

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#### Other material

No results available