Unfair Contract Terms Directive (93/13) - 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

07B4617
National ID: 07B4617
Common Name: AA S.A. v. BB
Directive Part: Article 3, 3. Article 6, 1.
Decision type: Other
Decision date: Thu Mar 06 00:00:00 CET 2008

313/07.0TBSJM.P1.S1
National ID: 313/07.0TBSJM.P1.S1
Common Name: AA v. Companhia de Seguros... S.A. and Banco... S.A.
Directive Part: Article 3, 3.
Decision type: Other
Decision date: Tue Mar 29 00:00:00 CEST 2011

link
National ID: link
Common Name: Banco Y vs. C
Directive Part: Article 3, 1. Article 2
Decision type: Other
Decision date: Mon Jul 14 00:00:00 CEST 2008

link
National ID: link
Common Name: Caixa Geral de Depósitos vs. A and B
Directive Part: Article 3, 2.
Decision type: Other
Decision date: Tue May 13 00:00:00 CEST 2008

link
National ID: link
Common Name: DECO vs. Bank X
Directive Part: Article 7
Decision type: Other
Decision date: Tue Oct 21 00:00:00 CEST 2008

P. 83348
National ID: P. 83348
Common Name: link
Directive Part: ANNEX I, 1. Article 5 Article 4, 1.
Decision type: Other
Decision date: Thu May 06 00:00:00 CEST 1993

855/98
National ID: 855/98

Common Name: link
Directive Part: ANNEX I, 1.
Decision type: Other
Decision date: Tue Oct 06 00:00:00 CEST 1998

99A796
National ID: 99A796
Common Name: link
Directive Part: ANNEX I, 1.
Decision type: Other
Decision date: Tue Nov 23 00:00:00 CET 1999

01A3417
National ID: 01A3417
Common Name: link
Directive Part: Article 1, 1. Article 7
Decision type: Other
Decision date: Tue Apr 23 00:00:00 CEST 2002

02A3692
National ID: 02A3692
Common Name: link
Directive Part: Article 1, 1.
Decision type: Other
Decision date: Thu Jun 27 00:00:00 CEST 2002

0326242
National ID: 0326242
Common Name: link
Directive Part: Article 1, 1. Article 3, 1. Article 2
Decision type: Other
Decision date: Tue Jan 20 00:00:00 CET 2004

0435484
National ID: 0435484
Common Name: link
Directive Part: Article 1, 1.
Decision type: Other
Decision date: Thu Nov 11 00:00:00 CET 2004

04B3874
National ID: 04B3874
Common Name: link
Directive Part: Article 1, 1.
Decision type: Other
Decision date: Thu Jan 13 00:00:00 CET 2005

06A818
National ID: 06A818
Common Name: link
Directive Part: Article 1, 1.
Decision type: Other
Decision date: Tue Apr 18 00:00:00 CEST 2006

07B1295
National ID: 07B1295
Common Name: link
Directive Part: Article 1, 1.
Decision type: Other
Decision date: Thu May 17 00:00:00 CEST 2007

1001/10.6TVLSB.L1-1
National ID: 1001/10.6TVLSB.L1-1
Common Name: link
Directive Part: link
Decision type: Court decision in appeal
Decision date: Tue Nov 19 00:00:00 CET 2013

1737/12.7TBVCT-D.G1.S1
National ID: 1737/12.7TBVCT-D.G1.S1
Common Name: link
Directive Part: link
Decision type: Supreme court decision
Decision date: Thu Nov 05 00:00:00 CET 2015

13162/14.0T2SNT.L1-1
National ID: 13162/14.0T2SNT.L1-1

Common Name: link
Directive Part: link
Decision type: Court decision in appeal
Decision date: Tue Jan 19 00:00:00 CET 2016

1262/14.1T8VCT-B.G1.S1
National ID: 1262/14.1T8VCT-B.G1.S1
Common Name: link
Directive Part: link
Decision type: Supreme court decision
Decision date: Tue Sep 13 00:00:00 CEST 2016

240/11.7TBVRM.G1.S1
National ID: 240/11.7TBVRM.G1.S1
Common Name: link
Directive Part: Article 3, 1. link
Decision type: Supreme court decision
Decision date: Tue Sep 27 00:00:00 CEST 2016

2nd Section 851/09.0TJLSB.L1.S1
National ID: 2nd Section 851/09.0TJLSB.L1.S1
Common Name: Ministério Público v. Banco…. S.A. (Public Prosecutor v. Bank)
Directive Part: Article 3, 3. Article 7 Article 6, 1.
Decision type: Other
Decision date: Thu Oct 13 00:00:00 CEST 2011

851/09.0TJLSB.L1.S1
National ID: 851/09.0TJLSB.L1.S1
Common Name: Ministério Público v. Banco…. S.A. (Public Prosecutor v. Bank)
Directive Part: Article 3, 3. Article 7 Article 6, 1.
Decision type: Other
Decision date: Thu Oct 13 00:00:00 CEST 2011

Legal Literature

Estudos de Direito do Consumidor – Centro de Direito do Consumo nº1
Reference: Estudos de Direito do Consumidor – Centro de Direito do Consumo nº1
Title: General Contractual Terms
Author: AFONSO, I.
Publication Year: 1999

Revista Portuguesa do Direito do Consumo, nº 62
Reference: Revista Portuguesa do Direito do Consumo, nº 62
Title: The Commission's Proposal for a Directive on «Consumer Rights» and Unfair Terms
Author: LIZ, J. P.
Publication Year: 2010

Estudos em Homenagem ao Professor Doutor Inocêncio Galvão Telles, vol. I - pp. 683-751
Reference: Estudos em Homenagem ao Professor Doutor Inocêncio Galvão Telles, vol. I - pp. 683-751
Title: The Law Applicable to Consumer Contracts in the «European Community Labyrinth »
Author: TELES, E. G.
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Reference: Direito Privado e Direito Comunitário – Alguns Ensaios, pp. 643-750
Title: The Unfair Contractual Terms on Consumer Contracts
Author: MIRANDA, Y
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Scientia Ivridica – Revista de Direito Comparado Português e Brasileiro, nº 314
Reference: Scientia Ivridica – Revista de Direito Comparado Português e Brasileiro, nº 314
Title: Unfair Terms: Article 6 of Directive 93/13/EEC
Author: ALMEIDA, J. C. M.
Publication Year: 2008

Other material

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