

Tuesday, March 31 2020



(<http://www.portaldasfinancas.gov.pt>)

Indicate what you want (Ex: Deliver IRS)

Measures to relax tax obligations

Coronavirus COVID 19



We are a family owned and operated business.

In view of the epidemiological situation that the country is going through and in an attempt to minimize its effects, in view of the fiscal calendar, the payment obligations for the second quarter of 2020 and the other fiscal obligations, the following measures were adopted:

- The **special payment on account (PEC) of IRC** to be made in March can be **made until June 30, 2020**. (Order No. 104/2020 - XXII - SEAF (http://info.portaldasfinancas.gov.pt/pt/informacao_fiscal/legislacao/Despachos_SEAF/Documents/Despacho_SEAF_104_2020.pdf))
- The **periodic income tax return (Model 22 declaration)** for the 2019 tax period, can be completed **until July 31, 2020**. (Order No. 104/2020 - XXII - SEAF (http://info.portaldasfinancas.gov.pt/pt/informacao_fiscal/legislacao/Despachos_SEAF/Documents/Despacho_SEAF_104_2020.pdf))
- The **1st payment on account** and the **1st additional payment on account** , both of IRC, to be made in July, can be made **until August 31, 2020**. (Order No. 104/2020 - XXII - SEAF (http://info.portaldasfinancas.gov.pt/pt/informacao_fiscal/legislacao/Despachos_SEAF/Documents/Despacho_SEAF_104_2020.pdf))

- **The payment of VAT** (applicable to the normal monthly and quarterly regimes) and of **withholding taxes of the IRS and IRC**, can be made: immediately or in a fractioned way in 3 or 6 monthly installments without interest by the taxpayers with a volume of businesses up to 10 million euros, calculated in 2018, or which started their activity as of January 1, 2019 (**article 1 and article 2 of Decree-Law no. 10-F / 2020 of 26 March** (/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Decreto_Lei_10_F_2020.pdf)). For the remaining taxable persons, payment can be made in installments, if they have verified a decrease in the invoicing communicated through the e-invoice of at least 20% in the average of the three months preceding the month in which this obligation has to be fulfilled, compared to the same period last year. (**Article 1 and Article 2 of Decree-Law No. 10-F / 2020 of 26 March** (/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Decreto_Lei_10_F_2020.pdf)) (/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Decreto_Lei_10_F_2020.pdf)

These installment payments are exempt from presenting a guarantee. (**Article 1 and Article 2 of Decree-Law No. 10-F / 2020 of March 26**

(/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Decreto_Lei_10_F_2020.pdf) (/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Decreto_Lei_10_F_2020.pdf)

- The **periodic VAT declarations**, referring to the period of February 2020, to be delivered within the legal period provided for in no. 1 of article 41 of the CIVA, can be calculated based on the data contained in the E-Invoice, and the situation must be regularized by means of a replacement declaration provided that this replacement and the respective payment / settlement occurs during the month of July 2020, based on all supporting documentation, without any additions or penalties.

Simplification in the fulfillment of this declaratory obligation applies to taxable persons:

- with a turnover, up to 10 million euros, for the year 2019;
- who started the activity on or after January 2020; or yet
- who restarted their activity on or after that date and did not achieve turnover in 2019. (Order No. 129/2020 - XXII - SEAF (/pt/informacao_fiscal/legislacao/Despachos_SEAF/Documents/Despacho_SEAF_129_2020_XXII.pdf))

- The **future PDFs** during the months of April, May and June will be considered electronic invoices for all purposes provided for in the tax legislation. (Order No. 129/2020 -XXII - SEAF (/pt/informacao_fiscal/legislacao/Despachos_SEAF/Documents/Despacho_SEAF_129_2020_XXII.pdf))

- The **suspension of tax enforcement proceedings until June 30, 2020**, that are in progress or that will be instituted by the Tax and Customs Authority. (**Article 1 and Article 5 of Decree-Law No. 10-F / 2020 of March 26** (/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Decreto_Lei_10_F_2020.pdf))
- The **application of the just impediment regime** in the fulfillment of any tax obligations, including those that have to be fulfilled within the scope of administrative procedures related to the settlement of taxes, in relation to certified taxpayers or accountants, in situations of declared infection or prophylactic isolation or determined by a health authority, requiring respective **proof by delivering a declaration issued by a health authority**. (Order No. 104/2020 - XXII - SEAF (http://info.portaldasfinancas.gov.pt/pt/informacao_fiscal/legislacao/Despachos_SEAF/Documents/Despacho_SEAF_104_2020.pdf)) and (Order No. 129/2020 - XXII - SEAF (/pt/informacao_fiscal/legislacao/Despachos_SEAF/Documents/Despacho_SEAF_129_2020_XXII.pdf))

Also considered as sufficient conditions for the application of the figure of the just impediment are situations of fixing a sanitary fence that prohibits the travel of taxpayers or certified accountants to and from the areas covered by the fence, provided that they have their tax or professional domicile in the these zones. (**Order No. 129/2020 - XXII - SEAF**)
- **Application of the judicial vacation regime** to tax periods that run in favor of taxpayers and that respect acts of filing a judicial challenge, gracious claim, hierarchical appeal, or other procedures of the same nature, as well as the deadlines for the practice of acts within the scope of same tax procedures (article 7 of Law no. 1-A / 2020 of 19 March (http://info.portaldasfinancas.gov.pt/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Lei_1_A_2020.pdf)).
- **Application of the judicial vacation regime** to the **installment plans** in progress at the Tax and Customs Authority, without prejudice to the fact that they may continue to be punctually fulfilled. (**Article 1 and Article 5 of Decree-Law No. 10-F / 2020 of 26 March** (/pt/informacao_fiscal/legislacao/diplomas_legislativos/Documents/Decreto_Lei_10_F_2020.pdf)).