

# PORTUGAL

## Country profile

Portugal is located in South Western Europe, on the Iberian Peninsula, and it is the westernmost country of mainland Europe, being bordered by the Atlantic Ocean to the west and south and by Spain to the north and east. Aside from continental Portugal, the Portuguese Republic holds sovereignty over the Atlantic archipelagos of Azores and Madeira, which are autonomous regions of Portugal.

Being a founding member of the NATO alliance, Portugal entered the European Economic Community, presently the European Union (EU), in 1986.



*Luis I Bridge, Porto*

## Curiosities about the country

- Portugal has the 3rd largest Exclusive Economic Zone (EEZ) of the EU and the 10th largest EEZ in the world. Aside from continental Portugal, the Portuguese Republic holds sovereignty over the Atlantic archipelagos of Azores and Madeira, which are autonomous regions of Portugal.

- Portuguese is the official language of 9 countries. Over 236 million people worldwide are native Portuguese speakers. Portuguese is the official language of Portugal, Brazil, Cape Verde, Angola, Guinea Bissau, Mozambique, São Tomé and Príncipe and Equatorial Guinea. Portuguese is also spoken in Goa (India), Macao, and East Timor.



*Guimaraes Castle*

- Portugal is the oldest country in Europe. Portugal has had the same defined borders since 1139, making it the oldest nation-state in Europe. Afonso Henriques was proclaimed the first King of Portugal in 1139 and the country remained a kingdom for almost 800 years thereafter, until 1910.

- Portugal is the largest cork producer in the world. Portugal produces 70% of the world's cork exports. Main importers of Portuguese cork are: Germany, U.K. and the U.S. The country has also the largest cork forest.

- One of the oldest universities in Europe is in Portugal. The University of Coimbra was established in 1290, making it one of the oldest universities in the European continent.

- Portugal was the first colonial power to abolish slavery. Portugal abolished slavery all the way back in 1761 - that's half a century before Britain, France, Spain and the United States and it was also one of the first countries in the world and the first country in Europe to abolish the death penalty, in 1867.

## Occupational Safety and Health Structure and Legislation

The national authority, which is in Portugal responsible for OSH, is the Authority for Working Conditions (Autoridade para as Condições de Trabalho) (ACT).

ACT is currently under the Ministry for Solidarity, Employment and Social Security (Ministério da Solidariedade, Emprego e Segurança Social).

ACT is headquartered in Lisbon and its head is the General Inspector for Labour (Inspector-Geral da Autoridade para as Condições de Trabalho), who is assisted by two deputy General Inspectors (Subinspectores-Gerais da Autoridade para as Condições de Trabalho).



*University of Coimbra*

Directive 89/391/EEC, of 12 June, on the introduction of measures to encourage improvements in the safety and health of workers at work (Framework Directive), was first transposed into Portuguese legislation by Decree-Law 441/91, of 14 November.

OSH legislation is augmented by many European directives duly incorporated into Portuguese law, such as the Machinery Directive 2006/42/EC, of 17 May, transposed by Decree-Law 103/2008, of 24 June and Directive 94/9/CE, of 23 March, on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres (ATEX), transposed by Decree-Law 112/96, of 5 August.

Fire protection and emergency plan regulations for new buildings are found in Decree-Law 220/2008, of 12 November, enacting the SCIE (Regime Jurídico da Segurança Contra Incêndio em Edifícios) expanded by Ordinance 1532/2008, of 29 December.

## OSH Services

The European Framework Directive has given freedom to member states to rule about the organisation of OSH services and professional training at a national level.

Law 102/2009, of 10 September, consubstantiates the Portuguese OHS Framework Act (Regime jurídico da promoção da segurança e saúde no trabalho). It allows:

- Internal OSH services. This is mandatory for companies having more than 400 employees or more than 30 employees if engaged in any of the so called high-risk activities (construction, mining and quarrying, manufacturing, transportation, storage and use of explosives and pyrotechnics; chemical facilities in which storage or use is made of dangerous chemical substances that may give rise to major accidents, exposure to medium and high voltage, exposure to carcinogens and mutagens, exposure to ionising radiations and exposure to crystalline silica, among others);
- Shared or Common OSH services, i.e., those shared by employers who agree to meet their respective legal obligations;
- External OSH services. Mostly aimed at rendering external services by accredited enterprises;



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- Individual practitioners to render external services as an alternative to external OSH consultancy services;
- Microenterprises, that employ up to 9 workers and are not engaged in any of the so called high-risk activities, can have permission in order that the employer takes full charge of OSH activities, if he works there or, alternatively, he may designate one or more workers to take charge, provided that the employer or the designated worker have attended adequate OSH training courses.

### **A Regulated Profession**

Law 102/2009 calls for individuals working in OSH services or rendering individual external services to be registered with ACT and to hold a Certificate of Professional Competence (CCP) that is valid for 5 years. They also need to complete a minimum of ACT endorsed continuous professional development activities (attendance of seminars and courses) to be renewed.

Law 42/2012, of 28 August, establishes two CCPs, one at a Technician Level (Técnico de Segurança no Trabalho) and another one at a Manager Level (Técnico Superior de Segurança no Trabalho).

Candidates willing to achieve a Technician Level CCP shall have completed high school education, a have attended a 3 year long vocational training course in OSH at an accredited training establishment. Alternatively, they can attend a 1200 hours long course of initial training at an accredited establishment. Candidates willing to achieve a Manager Level CCP shall have completed a bachelor degree and have attended a 540 hours long training course at an accredited establishment, as well.



*Commerce Square, Lisbon*

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