

**MORAIS LEITÃO**  
GALVÃO TELES, SOARES DA SILVA  
& ASSOCIADOS

# NEWSLETTER FRENCH DESK

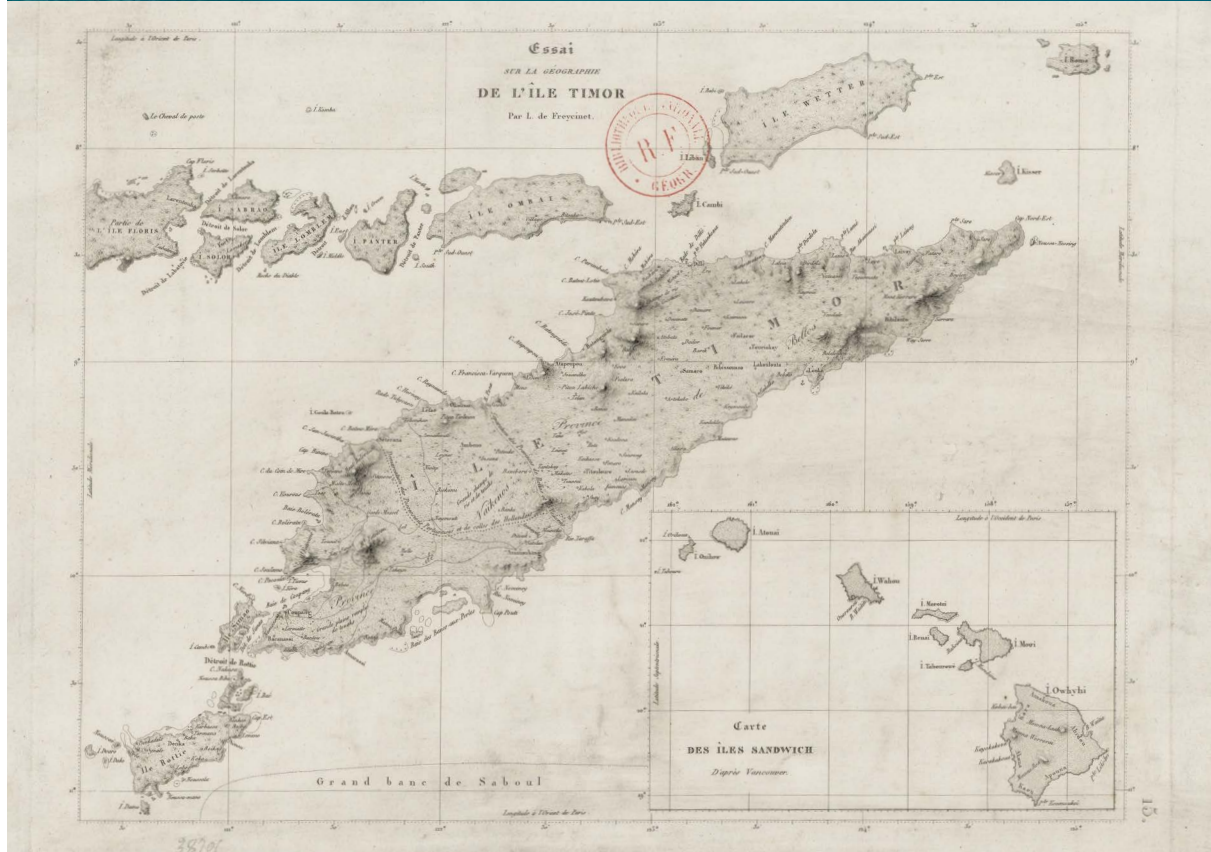
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**SPÉCIAL TIMOR-LESTE: UNE NOUVELLE ÈRE DE COLLABORATION JURIDIQUE** (PAGE 08) **NOTRE SÉLECTION DE LEGAL ALERTS: L'ACTUALITÉ JURIDIQUE PORTUGAISE** (PAGE 04)



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## EDITORIAL

### La légende du crocodile: une histoire fondatrice de Timor-Leste

À Timor-Leste, la culture est riche et les légendes, transmises de génération en génération, sont bien plus que de simples récits : elles sont l'âme du pays. Parmi les plus célèbres, celle du crocodile (lafaek en tetum) qui aurait donné naissance à l'île de Timor-Leste occupe une place particulière dans le cœur des Timorais.

Un vieux crocodile, affamé, cherche de la nourriture sur la terre ferme. Trop faible pour retourner dans l'eau, il est aidé par un jeune garçon. Reconnaisant, le reptile propose à l'enfant de le transporter sur son dos à chaque fois qu'il souhaite naviguer. Un jour, le crocodile, oubliant sa dette, tente de dévorer le garçon. Les autres animaux, indignés par son ingratitude, le dissuadent de commettre cet acte odieux. Confus, le crocodile décide de quitter les lieux et invite le garçon à l'accompagner à la recherche d'un disque d'or, là où le soleil se lève. Au cours de leur périple, le reptile, épuisé, se transforme en île, donnant ainsi naissance à Timor. Le garçon, devenu un homme, reçoit le disque d'or et, après avoir exploré l'île, la nomme Timor.

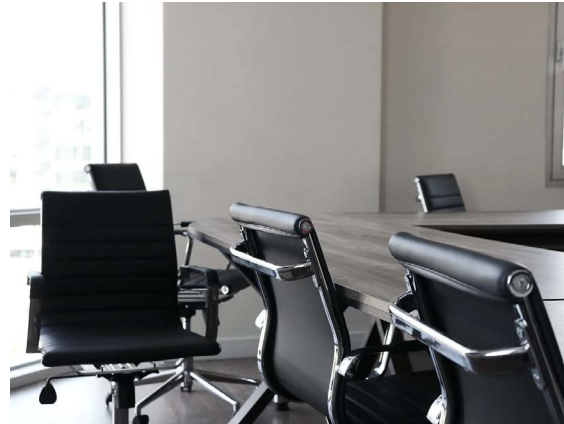
Plus qu'un simple récit sur l'origine géographique de Timor, cette légende véhicule un message écologique fort et souligne l'importance des liens et des alliances.

A ce titre, nous sommes ravis d'annoncer que Morais Leitão et son réseau ont établi une alliance stratégique exclusive avec JLA Advogados, un prestigieux cabinet d'avocats du Timor oriental, qui s'inscrit dans le cadre de notre stratégie d'internationalisation, qui nous permet d'étendre notre présence en Asie et de renforcer notre capacité de réaction sur les marchés mondiaux, comme mieux décrit en [page 8](#).

# LEGAL ALERTS

## Portugal

### CORPORATE



#### **DORA Regulation: new regulatory technical standards on ICT subcontracting**

The European Supervisory Authorities have released the Final Report on the Regulatory Technical Standards linked to the DORA Regulation, which aims to increase the digital operational resilience of the financial sector in the European Union. These RTS introduce strict new requirements for the outsourcing of information and communication technology services, with special emphasis on critical functions. The guidelines range from risk assessment and due diligence to the implementation of contractual standards and the management of subcontracting chains. To ensure compliance before January 2025, financial institutions and their ICT suppliers need to adapt their subcontracting practices quickly.

23.08.2024

### CRIMINAL, REGULATORY OFFENCES AND COMPLIANCE



#### **Prevention of money laundering and terrorist financing**

The Council of the EU has approved new rules to prevent money laundering and terrorist financing, strengthening the protection of the financial system and harmonising standards in Europe. The package includes a regulation toughening the rules for the private sector and a directive strengthening collaboration between national authorities. The new AMLA Authority will supervise the financial sector from 2025. The rules will come into force progressively until 2029.

12.09.2024

#### **Prevention of money laundering and terrorism financing - New ASF regulatory standard**

On 5 November, the Insurance and Pension Funds Supervisory Authority approved Regulatory Standard no. 10/2024-R, which adapts the legal obligations regarding the prevention of money laundering and terrorist financing to the specificities of the supervised sectors, regulating Law no. 83/2017. Among the new features are requirements for risk management policies

and procedures, periodic assessment of the effectiveness of the measures implemented, designation of those responsible for regulatory compliance and new rules for identifying clients and beneficial owners. The Standard also introduces a new duty to report annually to the ASF and repeals the old Regulatory Standard no. 10/2005-R, with transitional arrangements for some provisions.

15.11.2024

#### **RGPC Platform - Coming into operation**

On 25 November 2024, the RGPC Platform, created by MENAC for the submission of documents required by the General Regime for the Prevention of Corruption, went live. Registration was mandatory until 31 December 2024, and public or private entities must comply with the requirements under penalty of sanctions.

04.12.2024

### ENVIRONMENT

#### **Voluntary carbon market - Regulations**

On 2 October, three ordinances were published to regulate Decree-Law 4/2024, which established the voluntary carbon market (VCM) in Portugal. Ordinance 239/2024/1 defines the fees for opening and maintaining accounts and transactions on the VCM; Ordinance 240/2024/1, which came into force on 31 December 2024, establishes the qualification criteria for independent verifiers; and Ordinance 241/2024/1 defines the requirements for the VCM's electronic registration platform. These ordinances provide clarity on the functioning and operations of the MVC, including fees, project registration and carbon credit management.

08.10.2024

### EUROPEAN LAW AND COMPETITION

#### **AdC identifies a series of competitive issues in data access in general AI**



In September 2024, the Competition Authority (PCA) published the Short Paper 'Competition, Generative AI and Data', focusing on the competition challenges of generative AI, especially in access to and use of data. The paper discusses the transition from public to proprietary data, the risks of exclusivity, and the importance of open source AI models. It also addresses the limitations of synthetic data and the relevance of data pre-processing. The PCA warns of emerging competition risks, although many issues remain to be resolved.

11.10.2024

## ADMINISTRATIVE AND PUBLIC LAW



### Public Procurement - New measures approved

Law 43/2024, published on 2 December, introduces changes to Law 30/2021, establishing new special measures for public procurement, especially for projects financed or co-financed by European funds. The changes include: special prior review by the Court of Auditors (art. 17-A), urgent administrative actions for pre-contractual litigation (art. 25-A), recourse to arbitration in relevant public contracts (art. 25-B) and simplified procedures for Campus XXI contracts (art. 25-C). Of particular note are the speed with which contracts can be executed before the Court of Auditors' decision, the automatic suspension of challenges to awards and the possibility of arbitration to avoid financial losses. The law came into force on 16 December 2024.

[05.12.2024](#)

## ENERGY AND NATURAL RESOURCES



### Portugal accelerates renewable energy generation and storage projects

Decree-Law 99/2024 of 3 December establishes maximum deadlines for licensing and prior control procedures for renewable energy projects, including two years for production and operating licences (three years for offshore projects) and reduced deadlines for prior registrations and retrofits. It introduces a complete legal regime for energy storage solutions, allowing hybridisation with existing plants and prior checks on storage capacity. It updates the compensation for municipalities, standardising regimes for installations above 1 MVA and allowing for various types of compensation. In the environmental field, it makes the proposal to define the scope of environmental impact studies mandatory and definitively adopts the exemption from assessment for solar installations on buildings or artificial structures, with exceptions. In addition, it simplifies criteria for UPAC and storage in agricultural areas and provides for measures to reduce bureaucracy for projects on the public electricity grid.

[06.12.2024](#)

### Maintenance of renewable energy simplification measures

Portugal has extended until 31 December 2026 the special measures introduced in 2022 to simplify and accelerate procedures related to renewable energy generation and storage projects by Decree-Law No 116/2024 of 30 December. The main measures include Exemption from prior urban planning control for plants with a capacity of up to 1 MW and prior notification for larger plants; reduction to 10 working days of the deadline for issuing mandatory opinions, taking into account the absence of objections if they are not issued; additional compensation for municipalities, set at 13,500 euros per MVA of power allocated, financed by the Environmental Fund; and the possibility for electricity production centres to operate without a licence or certificate, following notification to the Directorate-General for Energy and Geology (DGEG) and communication of the connection conditions by the network operator, including authorisation for testing and experimental operation with reduced decision deadlines.

[30.12.2024](#)

## RETAIL AND CONSUMER GOODS

### New rules on product liability

Directive (EU) 2024/2853 of the European Parliament and of the Council (Directive (EU) 2024/2853), on the liability of producers for damages caused by defective products, entered into force on 8 December 2024, repealing and replacing the previous Council Directive 85/374/EEC of 25 July, incorporated into the Portuguese legal system in 1989 by Decree-Law 383/89, of 6 November. The new directive applies

to defective products placed on the market or put into service after 9 December 2026, by which date it must be transposed by the Member States.

[16.12.2024](#)

## TAX

### NHR 2.0 - IFICI Regulation

The Tax Incentive for Scientific Research and Innovation (IFICI - NHR 2.0), introduced in the 2024 State Budget and with retroactive effect from 1 January 2024, is now regulated by Order no. 352/2024/1, published on 23 December 2024. The ordinance defines the eligible activities, sectors, compliance procedures and requirements for applicants, who must submit their applications by 15 January of the year following their stay in Portugal. Eligible activities focus on highly qualified professions in specified industrial and service sectors, requiring proof of qualifications and compliance with tax authority criteria. The regulation aims to increase clarity and predictability for applicants and streamline implementation by 2025.

[23.12.2024](#)

# TIMOR-LESTE REJOINT LE MORAIS LEITÃO LEGAL CIRCLE: UNE NOUVELLE ÈRE DE COLLABORATION JURIDIQUE

En novembre dernier, le Morais Leitão Legal Circle a franchi une étape importante en accueillant un nouveau membre d'Asie du Sud-Est: Timor-Leste, représenté par JLA Advogados, un cabinet de renom du Timor oriental. Cette expansion stratégique, qui s'ajoute aux alliances existantes en Angola, au Mozambique, au Cap-Vert et à Singapour, témoigne de l'engagement de Morais Leitão à renforcer sa présence internationale et à offrir à ses clients une expertise juridique globale.

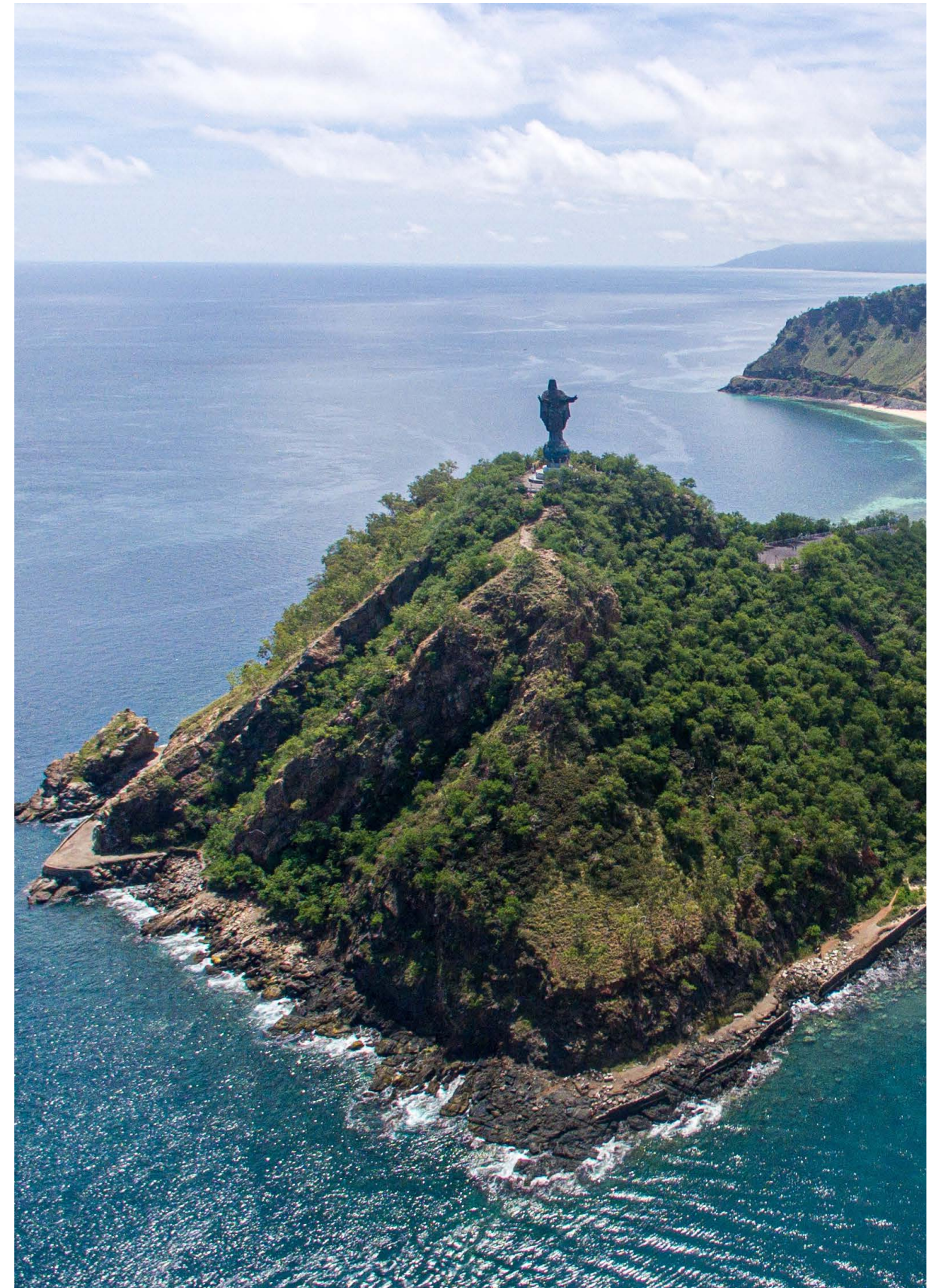
Cette newsletter est l'occasion de mettre en lumière l'histoire récente et l'actualité de Timor-Leste, un État insulaire situé au bord de l'océan Pacifique. L'histoire de Timor-Leste est étroitement liée au Portugal, qui a partagé l'île de Timor avec les Pays-Bas en 1749, avant de l'intégrer à son empire colonial. Après la révolution des Œillets en 1974, le Portugal a joué un rôle crucial dans le processus de décolonisation et d'indépendance du pays, finalement acquise en 2002.

L'héritage colonial portugais est encore palpable aujourd'hui, notamment à travers la langue portugaise, qui coexiste avec le tetum comme langue officielle, et la religion catholique, pratiquée par 98% de la population. Timor-Leste entretient également des liens étroits avec les pays lusophones, tels que le Brésil, Macao et les pays africains, au sein de la Communauté des pays de langue portugaise (CPLP).

Sur le plan politique, Timor-Leste s'est doté d'une constitution inspirée du modèle portugais. Le président de la république actuel, José Manuel Ramos-Horta, est une figure emblématique du pays, ayant reçu le prix Nobel de la paix en 1996 pour ses efforts en faveur d'une résolution pacifique du conflit à Timor-Leste. Le président nomme le Premier ministre, actuellement Xanana Gusmão, qui a déjà occupé ce poste de 2007 à 2015. La jeune démocratie timoraise a connu une alternance de gouvernements et de coalitions depuis son indépendance.

L'économie de Timor-Leste repose en grande partie sur le pétrole et le gaz, qui représentent la principale source de revenus de l'État. Cependant, le gouvernement s'efforce de diversifier l'économie, notamment en investissant dans l'agriculture, la pêche et les infrastructures. Des projets de reforestation, de protection de la biodiversité et de développement des énergies renouvelables sont également en cours pour réduire les émissions de gaz à effet de serre, avec l'objectif de fournir 50% de l'énergie à partir de sources renouvelables d'ici 2030.

L'adhésion de Timor-Leste au Morais Leitão Legal Circle ouvre de nouvelles perspectives de collaboration juridique et économique. Ce partenariat stratégique témoigne de la confiance de Morais Leitão dans le potentiel de développement de Timor-Leste et de son engagement à accompagner le pays dans sa trajectoire de croissance.



# FIRM FOR TOMORROW

## DISTINCTIONS

Morais Leitão a été reconnu à plusieurs reprises comme le meilleur cabinet d'avocats au Portugal.

2024

**INDIRECT TAX FIRM OF THE YEAR**  
ITR – EMEA Tax Awards

**NATIONAL FIRM OF THE YEAR**  
IFLR Europe Awards

**MOST ACTIVE LAW FIRM IN EQUITY**  
Euronext Lisbon Awards

## FRENCH DESK



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**CONSTANÇA CARRINGTON**



**INÊS GOUVEIA**



**FILIPA MORAIS ALÇADA**



**DIANA ETTNER**



**RITA NUNES DOS SANTOS**



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