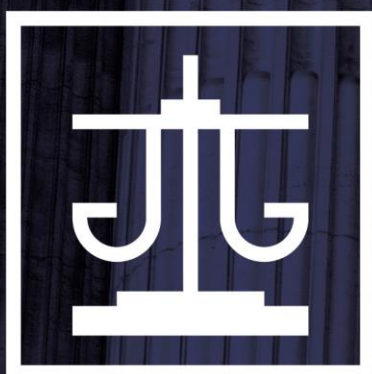




EPHESUS

Promoting fundamental rights in (post)
pandemic times in cross-border proceedings

Country Fiche Portugal



1. The competent authority

a. As Issuing State

In Portugal, the issuing authority responsible for supervision measures alternative to provisional imprisonment is the judicial authority handling the case.¹ Specifically:

- Criminal Investigation Judge – this judge is responsible for ordering supervision measures as an alternative to pre-trial detention during the investigative phase of a criminal proceeding
- Judicial Court – depending on the stage of the proceedings, the judicial court in charge of the case may enforce or adapt the measures in line with FD 829

Additionally, the Public Prosecutor plays a key role in proposing the application of such measures, particularly in ensuring their compliance with the obligations established under FD 829.²

b. As Executing State

The competent authority in Portugal for receiving requests for supervision measures is defined as follows:

- Central Criminal Investigation Chamber of the local court;
- In areas not covered by Criminal Investigation Chamber or Judge, the General Chamber of the local court;
- If the court has separate chambers, the Criminal Chamber of the local court by reference of the court of first instance of the district court of residence or last known residence of the accused;
- If the residence of the accused cannot be determined, the criminal section of the Lisbon local District Court.³

2. Recourse to a central authority: Yes

Yes, according to the transposition law (Law 36/2015 of 4 May) the central authority is the Directorate-General for Reintegration and Prison Services of the Ministry of Justice.⁴

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¹ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 5, §3 ([Lei n.º 36/2015, de 4 de maio | DR](#))

² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 194, §1 ([DL n.º 78/87, de 17 de Fevereiro](#))

³ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 5, §1 ([Lei n.º 36/2015, de 4 de maio | DR](#))

⁴ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 5, §4 ([Lei n.º 36/2015, de 4 de maio | DR](#))



3. Types of supervision measures ready to supervise – common:

	Yes	No
(a) an obligation for the person to inform the competent authority in the executing State of any change of residence, in particular for the purpose of receiving a summons to attend a hearing or a trial in the course of criminal proceedings;	X ⁵	
(b) an obligation not to enter certain localities, places or defined areas in the issuing or executing State;	X ⁶	
(c) an obligation to remain at a specified place, where applicable during specified times;	X ⁷	
(d) an obligation containing limitations on leaving the territory of the executing State;	X ⁸	
(e) an obligation to report at specified times to a specific authority;	X ⁹	
(f) an obligation to avoid contact with specific persons in relation with the offence(s) allegedly committed.	X ¹⁰	

4. Types of supervision measures ready to supervise – optional:

	Yes	No
(a) an obligation not to engage in specified activities in relation with the offence(s) allegedly committed, which may include involvement in a specified profession or field of employment;	X ¹¹	
(b) an obligation not to drive a vehicle;		X
(c) an obligation to deposit a certain sum of money or to give another type of guarantee, which may either be provided through a specified number of instalments or entirely at once;	X ¹²	

⁵ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, a) ([Lei n.º 36/2015, de 4 de maio | DR](#))

⁶ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, b) ([Lei n.º 36/2015, de 4 de maio | DR](#))

⁷ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, c) ([Lei n.º 36/2015, de 4 de maio | DR](#))

⁸ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, d) ([Lei n.º 36/2015, de 4 de maio | DR](#))

⁹ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, e) ([Lei n.º 36/2015, de 4 de maio | DR](#))

¹⁰ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, f) ([Lei n.º 36/2015, de 4 de maio | DR](#)https://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?artigo_id=selected&nid=2332&tabela=leis&pagina=1&ficha=1&nversao=)

¹¹ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, g) ([Lei n.º 36/2015, de 4 de maio | DR](#))

¹² Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, h) ([Lei n.º 36/2015, de 4 de maio | DR](#))



(d) an obligation to undergo therapeutic treatment or treatment for addiction;	X ¹³	
e) an obligation to avoid contact with specific objects in relation with the offence(s) allegedly committed.	X ¹⁴	
f) Others, what?		X

5. What is / are the body / bodies responsible for supervising the measures?

I. Supervisory measure – Common	Supervisory body / bodies
(a) an obligation for the person to inform the competent authority in the executing State of any change of residence, in particular for the purpose of receiving a summons to attend a hearing or a trial in the course of criminal proceedings;	The judge handling the case will supervise the compliance with this measure throughout the proceedings. Once the defendant informs the authorities of their residence, it is legally presumed to be their correct address. From that point onward, all official notifications, such as summons for hearings or trials, will be sent to this address. The law presumes that the defendant has received these notifications, even if they have not actually read or received them.¹⁵ If the defendant changes their residence, they must notify the authorities of the new address. Failure to update the address means notifications will continue to be sent to the old address, and the defendant will still be considered properly notified.¹⁶ The measure is considered properly enforced as long as the defendant fully complies with their obligations, including reporting and updating their residence.
(b) an obligation not to enter certain localities, places or defined areas in the issuing or executing State;	The judge handling the case will supervise the compliance during the course of the proceedings, in cooperation with law enforcement bodies, such as Polícia de

¹³ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, i) ([Lei n.º 36/2015, de 4 de maio | DR](#))

¹⁴ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 4, §1, j) ([Lei n.º 36/2015, de 4 de maio | DR](#))

¹⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196 §1 and Article 113, §7 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §1 and Article 113 §7 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	Segurança Pública (PSP) and Guarda Nacional Republicana (GNR).¹⁷ In case there are difficulties in applying or enforcing this measure due to unforeseen circumstances or practical difficulties, the judge may require the assistance of PSP and GNR to enforce the compliance with the measure.¹⁸ If there is a complaint regarding non-compliance, the court will be notified of it.
c) an obligation to remain at a specified place, where applicable during specified times;	The judge handling the case will supervise the compliance during the course of the proceedings, in cooperation with law enforcement bodies, such as Polícia de Segurança Pública (PSP) and Guarda Nacional Republicana (GNR).¹⁹ In case there are difficulties in applying or enforcing this measure due to unforeseen circumstances or practical difficulties, the judge may require the assistance of PSP and GNR to enforce the compliance with the measure.²⁰ If there is a complaint regarding non-compliance, the court will be notified of it.
(d) an obligation containing limitations on leaving the territory of the executing State;	The judge handling the case will supervise the compliance during the course of the proceedings, in cooperation with law enforcement bodies, such as Polícia de Segurança Pública (PSP) and Guarda Nacional

¹⁷ Law 53/2007 of 31 August, Organic Law of the Public Security Police, Article 4 ([::: Lei n.º 53/2007, de 31 de Agosto](#)); Law 63/2007 of 06 November, Organic Law of the Organic law of the National Republican Guard, Article 4 ([::: Lei n.º 63/2007, de 06 de Novembro](#)). These organic laws define the competencies of law enforcement bodies, including their role in assisting judicial authorities with enforcing court orders and supervising measures imposed on defendants.

¹⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 209 and Article 115 §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁹ Law 53/2007 of 31 August, Organic Law of the Public Security Police, Article 4 ([::: Lei n.º 53/2007, de 31 de Agosto](#)); Law 63/2007 of 06 November, Organic Law of the Organic law of the National Republican Guard, Article 4 ([::: Lei n.º 63/2007, de 06 de Novembro](#)). These organic laws define the competencies of law enforcement bodies, including their role in assisting judicial authorities with enforcing court orders and supervising measures imposed on defendants.

²⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 209 and Article 115 §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	Republicana (GNR), who surveil and control the borders.²¹ In case there are difficulties in applying or enforcing this measure due to unforeseen circumstances or practical difficulties, the judge may require the assistance of PSP and GNR to enforce the compliance with the measure.²² If there is a complaint regarding non-compliance, the court will be notified of it.
e) an obligation to report at specified times to a specific authority;	The supervision of this coercive measure is the responsibility of the entity designated by the judge handling the case, such as judiciary authorities (e.g. the Public Prosecutor, the criminal investigation judge or the judge handling the case) and law enforcement bodies, such as Polícia de Segurança Pública (PSP) or the Guarda Nacional Republicana (GNR).²³ In case there are difficulties in applying or enforcing this measure due to unforeseen circumstances or practical difficulties, the judge may require the assistance of PSP and GNR to enforce the compliance with the measure.²⁴
(f) an obligation to avoid contact with specific persons in relation with the offence(s) allegedly committed.	The judge handling the case will supervise the compliance during the course of the proceedings, in cooperation with law enforcement bodies, such as Polícia de Segurança Pública (PSP) and Guarda Nacional Republicana (GNR).²⁵

²¹ Law 53/2007 of 31 August, Organic Law of the Public Security Police, Article 4 ([::: Lei n.º 53/2007, de 31 de Agosto](#)); Law 63/2007 of 06 November, Organic Law of the Organic law of the National Republican Guard, Article 4 ([::: Lei n.º 63/2007, de 06 de Novembro](#)). These organic laws define the competencies of law enforcement bodies, including their role in assisting judicial authorities with enforcing court orders and supervising measures imposed on defendants, as well as surveilling and controlling borders.

²² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 209 and Article 115 §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

²³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 198 §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

²⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 209 and Article 115 §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

²⁵ Law 53/2007 of 31 August, Organic Law of the Public Security Police, Article 4 ([::: Lei n.º 53/2007, de 31 de Agosto](#)); Law 63/2007 of 06 November, Organic Law of the Organic law of the National Republican Guard, Article



	If the defendant is accused of the crime of domestic violence, the Law 112/2009 of 16 September allows for electronic surveillance, whenever essential for the protection of the victim. In this case, the Directorate-General for Reintegration and Prison Services will oversee compliance with this supervisory measure through telematic means (e.g., geo-location, voice verification).²⁶ In case there are difficulties in applying or enforcing this measure due to unforeseen circumstances or practical difficulties, the judge may require the assistance of PSP and GNR to enforce the compliance with the measure.²⁷ If there is a complaint regarding non-compliance, the court will be notified of it.
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II. Supervisory measures - Optional	Supervisory body / bodies
(a) an obligation not to engage in specified activities in relation with the offence(s) allegedly committed, which may include involvement in a specified profession or field of employment;	The supervision of this measure is carried out by the judge handling the case throughout the respective process. If the defendant holds a public function, profession or activity the exercise of which depends on a public title or an authorization or approval by the public authority, or the exercise of rights, this measure must be immediately communicated to the administrative authority, civil or judicial normally

4 ([::: Lei n.º 63/2007, de 06 de Novembro](#)). These organic laws define the competencies of law enforcement bodies, including their role in assisting judicial authorities with enforcing court orders and supervising measures imposed on defendants.

²⁶ Law 112/2009 of 16 September, Legal Regime Applicable to the Prevention of Domestic Violence, the Protection and Assistance of its Victims, Article 35, §1 and 2 ([Regime jurídico aplicável à prevenção da violência doméstica, à protecção e à assistência das suas vítimas | DR](#))

²⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 209 and Article 115 §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	competent to order the respective suspension or interdiction.²⁸ This includes ensuring compliance with the determination requiring execution of the suspension by the responsible entity.
b) an obligation not to drive a vehicle;	Not applicable
c) an obligation to deposit a certain sum of money or to give another type of guarantee, which may either be provided through a specified number of instalments or entirely at once;	The judge handling the case will supervise the compliance during the course of the respective process, in cooperation with other authorities, namely the Institute of Financial Management and Justice Equipment,²⁹ with competence to oversee compliance with money deposits. It is sufficient that the defendant fully complies with this obligation. However, However, if the defendant fails to provide the court-imposed bail, their assets may be subject to preventive seizure of assets.³⁰
(d) an obligation to undergo therapeutic treatment or treatment for addiction;	The Directorate-General for Reintegration and Prison Services (DGRSP) is responsible for overseeing compliance with this measure, ensuring that the defendant reports to the designated establishment within the timeframe set by the judge handling the case.³¹ Additionally, the Institute for Addictive Behaviours and Dependencies (ICAD) monitors adherence to therapeutic and addiction treatment programs. The ICAD oversees these programs through its Integrated Response Centres, where

²⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 199 §2 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

²⁹ Ordinance 391/2012 of 29 November, Statutes of the Institute of Financial Management and Equipment of Justice, Article 9 ([::: Portaria n.º 391/2012, de 29 de Novembro](#))

³⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 206 §4 and Article 228 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

³¹ Decree-Law 15/93 of 22 January, Legislation to Combat Drugs, Article 55, §1 and 2 ([Decreto-Lei n.º 15/93 | DR](#))



	medical professionals assess and track the progress of individuals undergoing treatment. Periodic reports prepared by the responsible physicians are sent to the DGRSP, enabling the court to evaluate compliance with the measure and determine whether to maintain, modify, or address potential non-compliance, in accordance with the applicable legislation.³² If there is a complaint regarding non-compliance with the treatment, the court will be notified of it.
e) an obligation to avoid contact with specific objects in relation with the offence(s) allegedly committed.	The judge handling the case will supervise the compliance during the course of the proceedings, in cooperation with law enforcement bodies, such as Polícia de Segurança Pública (PSP) and Guarda Nacional Republicana (GNR).³³ In case there are difficulties in applying or enforcing this measure due to unforeseen circumstances or practical difficulties, the judge may require the assistance of PSP and GNR to enforce the compliance with the measure.³⁴ If there is a complaint regarding non-compliance, the court will be notified of it.
f) Others, what?	Not applicable

6. What is the duration of the measure?

³² Decree-Law 15/93 of 22 January, Legislation to Combat Drugs, Article 44 §4 and Article 55, §1 and 2 ([Decreto-Lei n.º 15/93 | DR](#)). Decree-Law 89/2023 of 11 October, Article 18-A §1 ([Decreto-Lei n.º 89/2023 | DR](#))

³³ Law 53/2007 of 31 August, Organic Law of the Public Security Police, Article 4 ([:: Lei n.º 53/2007, de 31 de Agosto](#)); Law 63/2007 of 06 November, Organic Law of the Organic law of the National Republican Guard, Article 4 ([:: Lei n.º 63/2007, de 06 de Novembro](#)). These organic laws define the competencies of law enforcement bodies, including their role in assisting judicial authorities with enforcing court orders and supervising measures imposed on defendants.

³⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 209 and Article 115 §1 ([:: DL n.º 78/87, de 17 de Fevereiro](#))



I. Supervisory measure – Common	Maximum duration
(a) an obligation for the person to inform the competent authority in the executing State of any change of residence, in particular for the purpose of receiving a summons to attend a hearing or a trial in the course of criminal proceedings;	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.³⁵
(b) an obligation not to enter certain localities, places or defined areas in the issuing or executing State;	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.³⁶ Or when the maximum legal duration for such measures expires: - 8 months without charges - 1 year and 4 months without formal indictment - 2 years and 4 months without sentencing in the first instance court - 3 years without final and binding decision³⁷
c) an obligation to remain at a specified place, where applicable during specified times;	It depends on the phase of the process: • With the archiving of the inquiry; or

³⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

³⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

³⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	• With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.³⁸ Or when the maximum legal duration expires: • General cases: ◦ 4 months without charges ◦ 8 months without formal indictment ◦ 1 year and 2 months without sentencing in the first instance court ◦ 1 year and 6 months without a final binding decision • Terrorism, organized crime, or crimes punishable by more than 8 years in prison: ◦ 6 months without charges ◦ 10 months without formal indictment ◦ 1 year and 6 months without sentencing in the first instance court ◦ 2 years without a final binding decision • Crimes of exceptional complexity (e.g., involving numerous defendants or highly organized crime): ◦ 1 year without charges ◦ 1 year and 4 months without formal indictment ◦ 2 years and 6 months without sentencing in the first instance court
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³⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	○ 3 years and 4 months without a final binding decision. • If the case is appealed to the Constitutional Court or suspended for a preliminary ruling by another court, an additional 6 months is added to each deadline.³⁹
(d) an obligation containing limitations on leaving the territory of the executing State;	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.⁴⁰ Or when the maximum legal duration expires: • General cases: ○ 4 months without charges ○ 8 months without formal indictment ○ 1 year and 2 months without sentencing in the first instance court ○ 1 year and 6 months without a final binding decision • Terrorism, organized crime, or crimes punishable by more than 8 years in prison: ○ 6 months without charges ○ 10 months without formal indictment ○ 1 year and 6 months without sentencing in the first instance court

³⁹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §2 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁴⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	○ 2 years without a final binding decision • Crimes of exceptional complexity (e.g., involving numerous defendants or highly organized crime): ○ 1 year without charges ○ 1 year and 4 months without formal indictment ○ 2 years and 6 months without sentencing in the first instance court ○ 3 years and 4 months without a final binding decision. If the case is appealed to the Constitutional Court or suspended for a preliminary ruling by another court, an additional 6 months is added to each deadline.⁴¹
e) an obligation to report at specified times to a specific authority;	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.⁴² Or when the maximum legal duration expires: - 8 months without charges - 1 year and 4 months without formal indictment - 2 years and 4 months without sentencing in the first instance court - 3 years without final and binding decision⁴³

⁴¹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §2 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁴² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁴³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



(f) an obligation to avoid contact with specific persons in relation with the offence(s) allegedly committed.	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.⁴⁴ Or when the maximum legal duration expires: • General cases: ◦ 4 months without charges ◦ 8 months without formal indictment ◦ 1 year and 2 months without sentencing in the first instance court ◦ 1 year and 6 months without a final binding decision • Terrorism, organized crime, or crimes punishable by more than 8 years in prison: ◦ 6 months without charges ◦ 10 months without formal indictment ◦ 1 year and 6 months without sentencing in the first instance court ◦ 2 years without a final binding decision • Crimes of exceptional complexity (e.g., involving numerous defendants or highly organized crime): ◦ 1 year without charges ◦ 1 year and 4 months without formal indictment
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⁴⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	○ 2 years and 6 months without sentencing in the first instance court ○ 3 years and 4 months without a final binding decision. If the case is appealed to the Constitutional Court or suspended for a preliminary ruling by another court, an additional 6 months is added to each deadline.⁴⁵
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II. Supervisory measures - Optional	Maximum duration
(a) an obligation not to engage in specified activities in relation with the offence(s) allegedly committed, which may include involvement in a specified profession or field of employment;	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.⁴⁶ Or when the maximum legal duration expires: - 8 months without charges - 1 year and 4 months without formal indictment - 2 years and 4 months without sentencing in the first instance court - 3 years without final and binding decision⁴⁷
b) an obligation not to drive a vehicle;	Not applicable
c) an obligation to deposit a certain sum of money or to give another type of guarantee, which may either be provided through a	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or

⁴⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §2 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁴⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁴⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



specified number of instalments or entirely at once;	• With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.⁴⁸
(d) an obligation to undergo therapeutic treatment or treatment for addiction;	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.⁴⁹ Or when the maximum legal duration expires: • General cases: ◦ 4 months without charges ◦ 8 months without formal indictment ◦ 1 year and 2 months without sentencing in the first instance court ◦ 1 year and 6 months without a final binding decision • Terrorism, organized crime, or crimes punishable by more than 8 years in prison: ◦ 6 months without charges ◦ 10 months without formal indictment

⁴⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁴⁹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	○ 1 year and 6 months without sentencing in the first instance court ○ 2 years without a final binding decision • Crimes of exceptional complexity (e.g., involving numerous defendants or highly organized crime): ○ 1 year without charges ○ 1 year and 4 months without formal indictment ○ 2 years and 6 months without sentencing in the first instance court ○ 3 years and 4 months without a final binding decision. If the case is appealed to the Constitutional Court or suspended for a preliminary ruling by another court, an additional 6 months is added to each deadline.⁵⁰
e) an obligation to avoid contact with specific objects in relation with the offence(s) allegedly committed.	It depends on the phase of the process: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • Until the supervisory measure is extinguished upon the pronouncement of a final binding sentence.⁵¹ Or when the maximum legal duration expires: • General cases: ○ 4 months without charges ○ 8 months without formal indictment

⁵⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §2 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁵¹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	○ 1 year and 2 months without sentencing in the first instance court ○ 1 year and 6 months without a final binding decision • Terrorism, organized crime, or crimes punishable by more than 8 years in prison: ○ 6 months without charges ○ 10 months without formal indictment ○ 1 year and 6 months without sentencing in the first instance court ○ 2 years without a final binding decision • Crimes of exceptional complexity (e.g., involving numerous defendants or highly organized crime): ○ 1 year without charges ○ 1 year and 4 months without formal indictment ○ 2 years and 6 months without sentencing in the first instance court ○ 3 years and 4 months without a final binding decision. If the case is appealed to the Constitutional Court or suspended for a preliminary ruling by another court, an additional 6 months is added to each deadline.⁵²
f) Others, what?	Not applicable

7. Prolongation.

⁵² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 218, §2 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



I. Supervisory measure – Common	Can it be prolonged?	By who?	For how long?
(a) an obligation for the person to inform the competent authority in the executing State of any change of residence, in particular for the purpose of receiving a summons to attend a hearing or a trial in the course of criminal proceedings;	Yes	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁵³ Or until the supervisory measure is extinguished: • With the archiving of the inquiry; or • With the delivery of the order of non-indictment; or • With the delivery of the order rejecting the indictment; or • With the acquittal sentence, even if an appeal has been lodged against it; or • With the pronouncement of a final binding sentence.⁵⁴
(b) an obligation not to enter certain localities, places or defined areas in the issuing or executing State;	Yes, but only if the conditions that justified the measure continue to exist ⁵⁵	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁵⁶ However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁵⁷

⁵³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁵⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁵⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁵⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁵⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



			Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings. Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.
c) an obligation to remain at a specified place, where applicable during specified times;	Yes, but only if the conditions that justified the measure continue to exist ⁵⁸	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁵⁹ However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁶⁰ Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings.

⁵⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁵⁹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁶⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



			Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.
(d) an obligation containing limitations on leaving the territory of the executing State;	Yes, but only if the conditions that justified the measure continue to exist ⁶¹	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁶² However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁶³ Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings. Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent

⁶¹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁶² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁶³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



			phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.
e) an obligation to report at specified times to a specific authority;	Yes, but only if the conditions that justified the measure continue to exist ⁶⁴	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁶⁵ However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁶⁶ Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings. Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits

⁶⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁶⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁶⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



			depending on the procedural stage of the case.
(f) an obligation to avoid contact with specific persons in relation with the offence(s) allegedly committed.	Yes, but only if the conditions that justified the measure continue to exist ⁶⁷	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁶⁸ However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁶⁹ Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings. Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.

II. Supervisory measures - Optional	Can it be prolonged?	By who?	For how long?
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⁶⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([:: DL n.º 78/87, de 17 de Fevereiro](#))

⁶⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([:: DL n.º 78/87, de 17 de Fevereiro](#))

⁶⁹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([:: DL n.º 78/87, de 17 de Fevereiro](#))



(a) an obligation not to engage in specified activities in relation with the offence(s) allegedly committed, which may include involvement in a specified profession or field of employment;	Yes, but only if the conditions that justified the measure continue to exist ⁷⁰	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁷¹ However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁷² Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings. Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.
b) an obligation not to drive a vehicle;	Not applicable		
c) an obligation to deposit a certain sum of money or to give another type of guarantee, which may	Yes, but only if the conditions that justified the measure	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional. ⁷⁴

⁷⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁷¹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁷² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁷⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



either be provided through a specified number of instalments or entirely at once;	continue to exist ⁷³		However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁷⁵ Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings. Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.
(d) an obligation to undergo therapeutic treatment or treatment for addiction;	Yes, but only if the conditions that justified the measure continue to exist ⁷⁶	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁷⁷ However, its duration is subject to a maximum time limit for each phase of

⁷³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁷⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁷⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁷⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



			the legal proceedings.⁷⁸ Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings. Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.
e) an obligation to avoid contact with specific objects in relation with the offence(s) allegedly committed.	Yes, but only if the conditions that justified the measure continue to exist ⁷⁹	The judge who imposed the measure	Until the supervisory measure is deemed as necessary and proportional.⁸⁰ However, its duration is subject to a maximum time limit for each phase of the legal proceedings.⁸¹ Once this maximum period expires, the measure is extinguished and can no longer be enforced at that stage of the proceedings.

⁷⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁷⁹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 196, §3 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁸⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁸¹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 214, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



			Nonetheless, according to jurisprudence, a supervisory measure that has expired due to reaching its maximum duration can be reapplied later in a subsequent phase of the proceedings. This is because the law does not impose a single, continuous time limit for each coercive measure but instead establishes different time limits depending on the procedural stage of the case.
f) Others, what?	Not applicable		

8. Can the measures be modified during the pre-trial or trial stage?

I. Supervisory measure – Common	Yes (explain)	No
(a) an obligation for the person to inform the competent authority in the executing State of any change of residence, in particular for the purpose of receiving a summons to attend a hearing or a trial in the course of criminal proceedings;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate.⁸² It may be adjusted to a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case.⁸³	

⁸² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁸³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



(b) an obligation not to enter certain localities, places or defined areas in the issuing or executing State;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate.⁸⁴ It may be adjusted to a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case.⁸⁵	
c) an obligation to remain at a specified place, where applicable during specified times;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate.⁸⁶ It may be adjusted to a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case.⁸⁷	
(d) an obligation containing limitations on leaving the territory of the executing State;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case.	

⁸⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁸⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁸⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁸⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	The judge must periodically review the measure to ensure it remains necessary and proportionate. It may be adjusted to a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case.⁸⁸	
e) an obligation to report at specified times to a specific authority;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate.⁸⁹ It may be adjusted to a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case.⁹⁰	
(f) an obligation to avoid contact with specific persons in relation with the offence(s) allegedly committed.	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate. It may be adjusted to a less or more restrictive measure, provided the modification is	

⁸⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁸⁹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁹⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	justified and based on the specific developments of the case. ⁹¹	
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II. Supervisory measures - Optional	Yes (explain)	No
(a) an obligation not to engage in specified activities in relation with the offence(s) allegedly committed, which may include involvement in a specified profession or field of employment;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate.⁹² It may be adjusted to a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case.⁹³	
b) an obligation not to drive a vehicle;	Not applicable	
c) an obligation to deposit a certain sum of money or to give another type of guarantee, which may either be provided through a specified number of instalments or entirely at once;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate. It may be adjusted to a lower or higher deposit of money, or a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case. For example, if the defendant is unable to provide the deposit of money or has serious difficulties or	

⁹¹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁹² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 193, §1 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁹³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	has serious difficulties or inconveniences in providing it, the judge may replace it with any other supervisory coercive measure. If, after the deposit has been made, circumstances arise that make it insufficient or imply the modification of the modality of service, the judge may impose its increase or modification.⁹⁴	
(d) an obligation to undergo therapeutic treatment or treatment for addiction;	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate. It may be adjusted to a less or more restrictive measure, provided the modification is justified and based on the specific developments of the case.⁹⁵	
e) an obligation to avoid contact with specific objects in relation with the offence(s) allegedly committed.	The Public Prosecutor and the defendant may request the modification of the supervisory measure, due to developments of the case. The judge must periodically review the measure to ensure it remains necessary and proportionate. It may be adjusted to a less or more restrictive measure, provided the modification is	

⁹⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 207, §1 and §2 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁹⁵ ⁹⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	justified and based on the specific developments of the case. ⁹⁶	
f) Others, what?	Not applicable	

9. Can the measure be appealed?

I. Supervisory measure – Common	Yes – to who	No
(a) an obligation for the person to inform the competent authority in the executing State of any change of residence, in particular for the purpose of receiving a summons to attend a hearing or a trial in the course of criminal proceedings;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ⁹⁷	
(b) an obligation not to enter certain localities, places or defined areas in the issuing or executing State;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ⁹⁸	
(c) an obligation to remain at a specified place, where applicable during specified times;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ⁹⁹	
(d) an obligation containing limitations on leaving the territory of the executing State;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ¹⁰⁰	
(e) an obligation to report at specified times to a specific authority;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ¹⁰¹	
(f) an obligation to avoid contact with specific persons in relation with the offence(s) allegedly committed.	The Public Prosecutor or the defendant may appeal the	

⁹⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 212, §3 and 4 ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁹⁷ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁹⁸ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

⁹⁹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁰⁰ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁰¹ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))



	decision to the hierarchically higher court. ¹⁰²	
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II. Supervisory measures - Optional	Yes - to who	No
(a) an obligation not to engage in specified activities in relation with the offence(s) allegedly committed, which may include involvement in a specified profession or field of employment;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ¹⁰³	
b) an obligation not to drive a vehicle;	Not applicable	
c) an obligation to deposit a certain sum of money or to give another type of guarantee, which may either be provided through a specified number of instalments or entirely at once;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ¹⁰⁴	
(d) an obligation to undergo therapeutic treatment or treatment for addiction;	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ¹⁰⁵	
e) an obligation to avoid contact with specific objects in relation with the offence(s) allegedly committed.	The Public Prosecutor or the defendant may appeal the decision to the hierarchically higher court. ¹⁰⁶	
f) Others, what?	Not applicable	

10. Is the country checking for double criminality?

Yes

☐ ¹⁰⁷

No

☒

¹⁰² Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁰³ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁰⁴ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁰⁵ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁰⁶ Decree-Law 78/87 of 17 February, Portuguese Code of Criminal Procedure, Article 219, §1 and Article 417, §2 c) ([::: DL n.º 78/87, de 17 de Fevereiro](#))

¹⁰⁷ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 3, §2 ([Lei n.º 36/2015, de 4 de maio | DR](#))



11. What are the languages accepted as an Executing State?

The certificate and its content must be received in Portuguese.¹⁰⁸

Portugal can require translations of documents not originally in Portuguese.

12. Are there other agreements that apply in the country that enlarge, simplify, or facilitate the mutual recognition of the supervision measures?

Yes

☐

No

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¹⁰⁸ Law 36/2015 of 4 May, Surrender of a Natural Person between Member States in the Event of Non-Compliance with Coercive Measures, Article 9 ([Lei n.º 36/2015, de 4 de maio | DR](#))



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