13 December 2023

Positive preliminary assessment of the satisfactory fulfilment of milestones and targets related to the third and fourth instalments of the payment request for non-repayable support and the third instalment of the payment request for loan support submitted by Portugal on 4 October 2023 and the fourth instalment of the payment request for loan support submitted by Portugal on 19 October 2023, transmitted to the Economic and Financial Committee by the European Commission

Executive summary

In accordance with Article 24(2) of Regulation (EU) 2021/241, on 4 October 2023 Portugal submitted a request for payment for the third and fourth instalments of the non-repayable support and the third instalment of the loan support. On 19 October 2023, Portugal submitted a request for payment for the fourth instalment of the loan support. The payment request was accompanied by the required management declaration and summary of audits.

To support its payment request, Portugal provided due justification of the satisfactory fulfilment of 37 out of the 40 milestones and targets of the third and fourth instalments of the non-repayable support and the seven milestones and targets of the third and fourth instalments of the loan support, as set out in Section 2(1)(1.3 and 1.4) and Section 2(2)(2.3 and 2.4) of the Council Implementing Decision of 17 October 2023 on the approval of the assessment of the modified recovery and resilience plan for Portugal. [1]

For three targets covering a large number of beneficiaries (target 2.20 on affordable social housing, target 20.3 on laptops to students and teachers and target 20.14 on digital kits to students in Madeira), in addition to the summary documents and official listings provided by Portugal, Commission services have assessed a statistically significant sample of individual files. The samples selected and the respective checks correspond to a confidence level of 95% or above in all cases.

In its payment request, Portugal has confirmed that measures related to previously satisfactorily fulfilled milestones and targets have not been reversed. The Commission does not have evidence of the contrary.

Upon receipt of the payment request, the Commission has assessed on a preliminary basis the satisfactory fulfilment of the relevant milestones and targets. Based on the information provided by Portugal, the Commission has made a positive preliminary assessment of the satisfactory fulfilment of 44 out of the 47 milestones and targets. Portugal has not currently provided the necessary information for the Commission to reach a positive preliminary assessment on target 1.3 (Completion of the process of decentralisation of responsibilities in the field of health in municipalities), milestone 1.12 (Entry into force of the new full dedication work regime in the National Health Service) and milestone 6.15 (Entry into force of the law on regulated professions). For this target and these milestones, the Commission will proceed in accordance with Article 24(6) of Regulation (EU) 2021/241.

The milestones and targets positively assessed as part of this payment request demonstrate significant steps in the implementation of Portugal's Recovery and Resilience Plan. They notably highlight the continuation of the reform momentum in key policy areas. This includes, among others, a set of reforms aimed at improving the quality and sustainability of public finances, healthcare

[1] 13351/23 + ADD 1 REV 1, not yet published.

reforms to increase efficiency and resilience of the national health system and secure the rights of people with mental illness, and the improvement of the effectiveness of Portugal's tax system and tax courts. Other reforms include the regulation of platform work, the improvement of the land registry system and the promotion of circular economy. The milestones and targets also confirm progress towards the completion of investment projects related to, amongst others, the improvement of the housing market and housing conditions in Portugal, to social resilience, to the digital transition of the health sector and of the education system, to boosting research and innovation, to sustainable transport and to the improvement of the business environment. Two milestones on audit and control also confirm improvements in the fraud risk assessment for Portuguese implementing bodies, as well as in the detection and avoidance of double funding.

By the transmission of this positive preliminary assessment and in accordance with Article 24(4) of Regulation (EU) 2021/241, the Commission asks for the opinion of the Economic and Financial Committee on the satisfactory fulfilment of the relevant milestones and targets.

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Non-repayable support – Third instalment

Number: 1.8	Related measure: RE-C01-r03: Completion of the reform of the governance model of public hospitals		
Name of the Target: Establishing new Integrated Responsibility Centres in the hospitals of the National Health Service			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 10	**Time:** Q4 2022

Context:

The objective of the reform is to increase efficiency in the hospitals of the National Health Service.
Target 1.8 requires the establishment of ten new Integrated Responsibility Centres in the hospitals of the National Health Service.
Target 1.8 is the second target of the reform, and it follows the completion of milestone 1.6, related to the new management contract template for state-owned enterprises in the health system. It will be followed by milestone 1.7, related to the new Management Accounting Plan of the National Health Service. The reform has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.

ii) **List of the newly established Integrated Responsibility Centres**, including their respective hospital, region in the country and date of creation.

iii) **Ten administrative acts** that underpin the establishment of ten new Integrated Responsibility Centres in the hospitals of the National Health Service.

a) Obesity surgery (part of general surgery), Extract from the minutes of the Executive Board of Hospital da Senhora da Oliveira - Guimarães, E.P.E No. 114/2020, with the respective Decision of the Executive Board, 22 December 2020
b) Ophthalmology, Decision of the Executive Board of Hospital Distrital da Figueira da Foz, E.P.E., 23 February 2021
c) Orthopaedics, Decision of the Executive Board of Hospital Distrital da Figueira da Foz, E.P.E., 23 February 2021
d) Derma-venereology, Decision of the Executive Board of Hospital Garcia de Orta, E.P.E., 4 March 2021
e) Nephrology, Extract from the minutes of the Executive Board of Centro Hospitalar Universitário de São João, E.P.E. No. 8/2022, with the respective Decision of the Executive Board, 18 February 2021
f) Nuclear medicine, Decision of the Executive Board of Hospital Garcia de Orta, E.P.E., 1 July 2021
g) Otorhinolaryngology, Decision of the Executive Board of Hospital Garcia de Orta, E.P.E., 1 July 2021
h) Ophthalmology, Extract from the minutes of the Executive Board of Hospital Prof. Doutor Fernando Fonseca, E.P.E. No. 51/2021, with the respective Decision of the Executive Board, 22 December 2021
i) Breast pathology, Extract from the minutes of the Executive Board of Centro Hospitalar Universitário de São João No. 7/2022, with the respective Decision of the Executive Board, 10 February 2022
j) Ophthalmology, Action Plan of the Executive Board of Centro Hospitalar de Setúbal, E.P.E. 2022/2024, with the respective Decision of the Executive Board, 17 February 2022

iv) **Report provided by the Central Administration of the Portuguese Health System** (*hereinafter referred to as ACSS*), signed on 12 September 2022 showing how the new Integrated

Responsibility Centres achieve the objectives established in the description of the target.

v) **Decree Law No. 52/2022** of 4 August (published in the Official Journal, *Diário da República* No. 150/2022, first series of 4 August 2022, pages 5 – 52) which approves the Statutes of the National Health Service, and provides the legal basis for the creation of the Integrated Responsibility Centres.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Establishment of new Integrated Responsibility Centres in the hospitals of the National Health Service

According to article 71 (1) (f) and article 90 of **Decree Law No. 52/2022** the executive boards of the state-owned enterprises, which include the hospitals of the National Health Service, are responsible for the establishment of the Integrated Responsibility Centres. In line with this and with the goal of the target, the following ten Integrated Responsibility Centres have been established by deliberation of the executive boards of the respective hospitals (ten administrative acts, see evidence III. a) – j)):

Integrated Responsibility Centre	**Hospital of National Health Service**	**Established on**
Obesity surgery (part of general surgery)	Hospital da Senhora da Oliveira - Guimarães, E.P.E.	22 December 2020
Ophthalmology	Hospital Distrital da Figueira da Foz, E.P.E.	23 February 2021
Orthopaedics	Hospital Distrital da Figueira da Foz, E.P.E.	23 February 2021
Derma-venereology	Hospital Garcia de Orta, E.P.E.	04 March 2021
Nephrology	Centro Hospitalar Universitário de São João, E.P.E.	No
Nuclear medicine	Hospital Garcia de Orta, E.P.E.	01 July 2021
Otorhinolaryngology	Hospital Garcia de Orta, E.P.E.	01 July 2021
Ophthalmology	Hospital Prof. Doutor Fernando Fonseca, E.P.E.	22 December 2021
Breast pathology	Centro Hospitalar Universitário de São João	10 February 2022
Ophthalmology	Centro Hospitalar de Setúbal, E.P.E.	17 February 2022

In order to:

i) improve access to, as well as quality and efficiency in the provision of heath care services

To establish an Integrated Responsibility Centre (IRC), it is necessary to create a three-year business plan, which assesses the current and future needs of the population within a given area and takes into account the available resources of the hospital to address those needs (Report provided by the Central Administration of the Portuguese Health System, section VI, iii). This allows to adjust available resources and therefore provide more efficient health care services.

The Integrated Responsibility Centres include multidisciplinary teams which ensure a more comprehensive treatment/ monitoring of the patient (Report provided by the Central Administration of the Portuguese Health System, section VI.i). This not only saves the travel to different services locations, facilitating access to services, but more importantly ensures higher quality and efficiency of services.

In addition, the Integrated Responsibility Centres have implemented monitoring and management practices that take into account the patient's clinical path within the hospital and the hospital resources, the so-called 'clinical pathways' (Report provided by the Central Administration of the Portuguese Health System, section VI.ii), which improves both access and quality of the services provided.

One of the objectives of the Integrated Responsibility Centres is to reduce the waiting times for their

respective clinical speciality(ies) (Report provided by the Central Administration of the Portuguese Health System, section VI.i). With autonomy to schedule medical appointments (Report provided by the Central Administration of the Portuguese Health System, section IV.I), Integrated Responsibility Centres can control waiting times. Annex I of the Report provided by the Central Administration of the Portuguese Health System shows a reduction in the waiting lists for medical appointments of general/obesity surgery, ophthalmology, orthopaedics, breast pathology, ophthalmology in their respective integrated centre of the respective hospital. The reduction in waiting times improves access to the services.

ii) strengthen clinical governance, autonomy and accountability of health care services.

Integrated Responsibility centres are constituted by multidisciplinary teams focusing in one clinical specialty (article 91(1) of Decree Law No. 52/2022), creating therefore a management at the clinical specialty level, which contributes to the improvement of clinical governance. Integrated responsibly centres have to execute an annual 'Program contract". This is an agreement concluded by the Board of the hospital and the directors of the Integrated Responsibility Centre. It includes, among others, the activity plan of the Integrated Responsibility Centre, the annual budget, the investment plan and the training and research plan (article 91(3) (j) of Decree Law No. 52/2022). The Program contract also contributes to reinforce the clinical governance. Integrated Responsibility Centres have their own management team, which is responsible for the execution of the annual 'Program-Contract (. In this way the autonomy or the services that provide health care is increased. (Report provided by the Central Administration of the Portuguese Health System, section III). The 'Program-Contract' also includes productivity and service quality criteria based on which the annual results of the Centres and the performance of their healthcare professionals is monitored and assessed, thereby increasing their accountability, *i.e.* the accountability of the services that provide health care. (Report provided by the Central Administration of the Portuguese Health System, Section VI.ii).

iii) encourage health professionals to continue working at public hospitals;

Integrated Responsibility Centres provide to their health professionals several incentives to maintain them working in public hospitals. First, health professionals are encouraged to participate in the activity plan of their respective Integrated Responsibility Centre and their evaluation takes into account their contribution to the overall results of the Integrated Responsibility Centre, giving them 'ownership' over the activity of the Integrated Responsibility Centre (Report provided by the Central Administration of the Portuguese Health System, section IV.ii). Second, health professionals of Integrated Responsibility Centres have access to financial incentives to perform additional services (outside their working hours) (Report provided by the Central Administration of the Portuguese Health System, section VI.iii). Third, healthcare professionals of Integrated Responsibility Centres have access to education, training and research opportunities increasing the incentive to work at public hospitals (Report provided by the Central Administration of the Portuguese Health System, section IV.iii).

iv) share risks and benefits between health care services and hospitals.

The 'Contract Program' establishes the objectives and resources allocated to each Integrated Responsibility Centre, taking into account the hospital's overall available resources and objectives. By executing this agreement, in particular by fulfilling the financial and budget obligations, the risks (of not having enough resources) and benefits (of sharing resources and knowledge) between the health services provided by the Integrated Responsibility Centre and the hospitals are shared (Report provided by the Central Administration of the Portuguese Health System, section VI.iv).

v) value the mission of each health care service and hospital in the regional and national context of the National Health Service

Integrated Responsibility Centres respond to the population's medical needs of their respective geographic area. They pull together health professionals from different fields to focus on specific medical specialities required in that given geography. Integrated Responsibility Centres also foster cooperation between the different levels of services in the national health system, in particular between primary care services and hospital services (Report provided by the Central Administration of

the Portuguese Health System, section VI.v). In this way, Integrated Responsibility Centres value the mission of the health care services and hospitals where they are included.
Furthermore, in line with the description of the measure**,** the creation of Integrated Responsibility Centres should come with the **implementation of performance-based remuneration regimes applicable to units associated to such Centres**.
The remuneration of the multidisciplinary teams that constitute the Integrated Responsibility centres is based on the performance of each health professional assessed against pre-established individual and team objectives. There are objectives for the 'standard' activity and for the additional activity. The objectives, their evaluation and remuneration are established in each contract programs, following each Integrated Responsibly Centre internal regulation, which need to comply with the rules and guiding principles established in article 90(3) and article 91(3) (f), (g) (h) and (J) of Decree Law No. 52/2022 (Report provided by the Central Administration of the Portuguese Health System, section II, section VI.iii and Annex III).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 1.24	Related Measure: RE-C01-i03: Completion of the mental health reform and implementation of the dementia strategy

Name of the Milestone: Development of awareness-raising and training actions for 'building the pathways of patients' in the context of dementias

Qualitative Indicator: Report on the deployment of new awareness-raising and training actions and their development	**Time:** Q4 2022

Context:
The objective of the investment is to support the delivery of the reform of mental health care services, thus contributing to expanding and strengthening the response capacity of the National Health Service in the field of mental health.
Milestone 1.24 concerns the development and deployment of awareness-raising and training actions on dementias, aimed at the staff in the field of social and health care, as well as the users of social and health care services.
Milestone 1.24 is the first step of the implementation of the investment, and it will be followed by target 1.23 and milestone 1.25. The former requires building a new forensic psychiatry unit and refurbishing two other units, and the latter requires completing all the interventions defined to strengthen the mental health care network. The investment has a final expected date for implementation in Q4 2025.

Evidence provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled
ii) **Progress report** on milestone 1.24 (*Relatório de progresso Março 1.24)* signed on 15 September 2023 by the Central Administration of the Health System (*Administração Central do Sistema de Saúde I.P.)* demonstrating the deployment of new awareness-raising and training actions for 'building the pathways of patients' in the context of dementias and the extent to which these support reforms in social and health care services
iii) **List of awareness-raising and training actions** (*Planeamento das formações a nível regional).* The list is also included in the Progress report (Annex 2). The list is divided by region (Alentejo, Algarve, Centro, Lisboa e Vale do Tejo, Norte) and specifies the approximate number of persons trained, the duration of each session and the number of sessions).

The authorities also provided:

iv) **Attendance lists of two awareness-raising actions** relating to the Caring for those who care

(*Cuidar de quem cuida*) programme held on
   a) 23 March 2023 (Awareness-raising action on 23 March 2023, *Ação sensibilização_23março2023,*) and
   b) 18 April 2023 (Awareness-raising action on 18 April 2023, *Ação sensibilização_18abril2023*)

v) **Attendance lists of two training actions** relating to
   a) the Caring for those who care (*Cuidar de quem cuida*) programme held on 13 November 2022 (Training action on 13 November 2023, *Ação formação_13nov22,*) and
   b) the *Fazer a diferença* programme held on 29 March 2023 (Training action on 29 March 2023, *Ação formação_29março23*)

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Awareness-raising and training actions on dementias

As explained in the Progress report (section *Portefólio/revisão das ofertas formativas*), the first phase of the development of awareness-raising and training actions consisted in the mapping of existing training offers to strengthen the skills of health and/or social teams in the area of dementia. More specifically, intervention programmes included in the mapping satisfy three criteria, that are (i) psychosocial impact, (ii) availability in the form of a 'manual' or equivalent, and (iii) existence of evaluation/validation data (at least in pilot tests). The goal of the mapping was to inform about the possible options to implement at regional level differentiated capacity-building actions, thus contributing to the Regional Dementia Plans, and resulted in a report published by the National Coordination of Mental Health Policies *(Coordenação Nacional das Políticas de Saúde Mental)* (Annex 1 of the Progress report).

The mapping was complemented by the identification of training needs at regional level, including the number of trainees. Such identification was carried out by several authorities cooperating, namely the Executive Committee of the National Health Plan for Dementias (*Comissão Executiva do Plano Nacional da Saúde para as Demências*), Regional Health Administrations (*Administrações Regionais de Saúde*), the Regional Health Committees for Dementias (*Comissões Regionais de Saúde para as Demências*), the Regional Coordinating Teams for Integrated Continuous Care (*Equipas Coordenadoras Regionais de Cuidados Continuados Integrados*), and the National Commission for Paliative Care (*Comissão Nacional dos Cuidados Paliativos*) with the support of the National Coordination of Mental Health Policies (*Coordenação Nacional das Políticas de Saúde Mental*) (Annexes 2 and 3 of the Progress report).

The implementation of awareness-raising and training activities started in November 2022 (Annex 2 of the Progress report and List of awareness-raising and training actions). Specifically, two programmes were implemented, that is (i) the *Cuidar de Quem Cuida* programme and (ii) the *Fazer a Diferença* programme (Annexes 3, 4 and 5 of the Progress report). The implementation of these two programmes is also shown by the attendance lists of two awareness-raising actions and attendance lists of two training actions (A*ção sensibilização_23março2023, Ação sensibilização_18abril2023 Ação formação_13nov22* and *Ação formação_29março23*).

With a view to supporting reforms in social and health care services

The awareness-raising and training actions (List of awareness-raising and training actions) have been designed to enhance the response capacities of health professionals and users/carers to the challenges posed by dementias (Annex 1 of the Progress report, page 29). The milestone supports the implementation of the Mental Health Reform (RE-r02) and Facilities and Social Responses Supply Reform (RE-r05).

- The milestone contributes to the implementation of the regional health plans for dementia, which is one of the intervention axes of the Mental Health Reform (RE-r02). In fact, the

implementation of awareness-raising and training actions is part of the regional health plans for dementia, in accordance with Article 7 of Order of the Ministry of Health No. 12761/2021 of 29 December (accessible at Despacho n.º 12761/2021 | DR (diariodarepublica.pt)). As one of the intervention axes of the Mental Health Reform (RE-r02) is the implement of the regional health plans, this milestone supports the achievement of such reform.

- The awareness-raising and training actions also support the implementation of the Facilities and Social Responses Supply Reform (RE-r05), as the interventions under the reform shall promote the autonomy of dependent persons through their rehabilitation and social reintegration, focusing on, *inter alia*, (i) increasing workforce levels and quality of service provision of social responses, and (ii) reinforcing social services and support aimed at people with disabilities or dependency and promoting their autonomy and independent living. As these elements are included in the context of the awareness-raising and training actions, this milestone supports the achievement of the Facilities and Social Responses Supply Reform (RE-r05).

Aimed at the staff of social and health care services or of other entities that work with the general public in the field of social and health care policies, as well as the users of social and health care services.

The training programmes targeted professionals working with people with dementia, as well as informal carers (such as family members) (Progress report, sections *Operacionalização do Marco 1.24,* page 8*, Planeamento das ações de formação a nível regional,* pages 10-11, *Ações de formação,* pages 11-15, and *Ações de sensibilização,* pages 16-20). The training activities implied a 'multiplier effect' given that professionals involved (e.g. neuropsychologists, physiotherapists, nurses) in the planning and promotion of awareness-raising and literacy activities have attended such trainings (Progress report, section *Ações de sensibilização,* pages 16-20). Awareness-raising initiatives have also been carried out and were aimed at the general public, involving more than 300 participants from several categories, such as people with dementia, informal carers, professionals in the areas of health care and in the social field (Annexes 3 and 7 of the Progress report).

The above-mentioned mapping allowed to further assess the needs of trainees (which is to say recipients of trainings) in the field of health care services (such as doctors, nurses, social workers, therapists, psychologists, auxiliaries), in the field of social care (such as professionals in home support services), in the context of public, private or third-sector institutions providing support to people with dementia and families, including informal care (Annex 2 of the Progress report, page 149-156).

Finally, the Executive Committee of the National Health Plan for Dementias (*Comissão Executiva do Plano Nacional da Saúde para as Demências*), in cooperation with the Regional Health Administrations (*Administrações Regionais de Saúde*), has planned a public campaign for 2023, in line with the regional health plans for dementia (Annex 8 of the Progress report, page 367-381). The campaign aims to (i) raise the awareness of dementia in the society as a whole, (ii) increase the level of health literacy of the population and (iii) strengthen the impact of awareness-raising activities.

Furthermore, in line with the description of the measure, the investment shall consist of **developing awareness raising and training actions for 'building the pathways of patients' in the context of dementias**.

As mentioned above, the awareness raising and trainings actions are addressed to health professionals and informal carers, as well as to patients with dementia to enhance the management and treatment of dementias. As such, the actions aim at 'building the pathways of patients', supporting the transition from institutionalised to community-based care in the social environment of patients and their families, thus improving social integration and discouraging institutionalisation (Progress report, page 22). In fact, awareness-raising and training actions are intended not only for healthcare professionals from several areas of expertise, but also informal carers, such as family members of patients with dementias and patients themselves. For instance, the *Terapia de Estimulação Cognitiva - Fazer a Diferença* training (Annex 5 of the Progress report) promoted by the

Portuguese Catholic University is a multi-domain cognitive stimulation programme, originating from in reality orientation therapy. The latter has shown positive impact on cognition, social functioning and quality of life of people with dementia.
Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 1.32	Related Measure: RE-C01-i06: Digital Health Transition		
Name of the Target: Upgrade of local information technology networks			
Quantitative Indicator: %	**Baseline: 0**	**Target: 90**	**Time:** Q4 2022

Context:

The objective of the investment is to address bottlenecks hampering the digital transition in the National Health Service, including the lack of appropriate hardware and software at the disposal of health care workers; to strengthen the standardisation of the information systems in the National Health Service; and to improve user experience and access to data.

Target 1.32 concerns the upgrade of local information technology networks in the National Health Service, for them to be able to operate in the new model of unified communications (Voice over Internet Protocol).

Target 1.32, together with target 1.33, is the first step of the implementation of the investment and will be followed by target 1.34. Target 1.33 concerns the implementation of functionalities for telehealth and telemonitoring, and target 1.34 covers the implementation of information technology administrative modules, basic clinical modules and emergency clinical modules.

The investment has a final expected date for implementation in Q2 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled

ii) **Progress report** on target 1.32 (*Relatório 1.32*) provided and signed in September 2023 (no exact date specified) by Shared Services of the Ministry of Health (*Serviços Partilhados do Ministério da Saúde*) tracking the percentage of upgraded local information technology networks in the National Health Service

iii) **Certificates of work completion** demonstrating that the upgrade of local information technology networks has been completed, and that they are operational and able to operate in the new model of unified communications (Voice over Internet Protocol), signed between the competent authority *(SPMS – Serviços Partilhados do Ministério da Saúde, E.P.E.*) and

   a) the contractor (*ARS Alentejo – Administração Regional de Saúde do Alentejo, I.P.*) **for the acquisition of 87 switches in 146 local networks, of 13 October 2023**
   b) the contractor (*ARS Algarve - Administração Regional de Saúde do Algarve*) **for the acquisition of 51 switches in 106 local networks, of 25 October 2023**
   c) the contractor (*ARS Centro – Administração Regional de Saúde do Centro, I.P.*) **for the acquisition of 291 switches in 382 local networks, of 12 October 2023**
   d) the contractor (*ARS LVT – Administração Regional de Lisboa e Vale do Tejo, I.P.*) **for the acquisition of 709 switches in 460 local networks, of 12 October 2023**
   e) the contractor (*ARS Norte – Administração Regional de Saúde do Norte, I.P.*) **for the acquisition of 446 switches in 404 local networks, of 13 October 2023**
   f) contractor (*ULS Alto Minho – Unidade Local de Saúde do Alto Minho, E.P.E.*) **for the acquisition of 19 switches in 38 local networks, of 12 October 2023**
   g) the contractor (*ULS Baixo Alentejo – Unidade Local de Saúde do Baixo Alentejo E.P.E.*) **for the acquisition of 70 switches in 86 local networks, of 16 October 2023**

h) the contractor (*ULS Castelo Branco – Unidade Local de Saúde de Castelo Branco, E.P.E*) **for the acquisition of 106 switches in 80 local networks, of 13 October 2023**
i) the contractor (*ULS Guarda Unidade de Saúde Local da Guarda, E.P.E*) **for the acquisition of 62 switches in 67 local networks, of 13 October 2023**
j) the contractor (*ULS Nordeste – Unidade Local de Saúde do Nordeste, E.P.E.*) **for the acquisition of 23 switches in 24 local networks, of 12 October 2023**

the contractor (*ULS Norte Alentejano – Unidade Local de Saúde do Norte Alentejano, E.P.E.*) **for the acquisition of 60 switches in 78 local networks, of 12 October 2023**

Analysis:
The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Percentage of upgraded local information technology networks in the National Health Service, organised and implemented by the shared services entity of the Ministry of Health…
The target includes infrastructure interventions on the connectivity structures and local networks of the sites (physical locations) identified and registered in the Health Information Network *Rede Informática da Saúde* (hereinafter referred to as RIS). The latter is a private multimedia network of the Ministry of Health, which connects the local networks of its agencies and services. Specifically, RIS is part of a telecommunications infrastructure managed by Shared Services of the Ministry of Health, *Serviços Partilhados do Ministério da Saúde,* (hereinafter referred to as SPMS) , comprising (i) the means of physical connection between the different access nodes, and (ii) the structural network services, necessary for the operation of the various application services (Progress report, section *II Evidencias - RE-C01-i06: Transiço Digital na Saúde*).
Preceding the implementation of such interventions, SPMS identified the local networks belonging to the information network of the National Health System, and the mapping of needs of the relevant entities. In this context, 1940 local networks have been identified (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude*). Out of these, 1871 local information technology networks were renewed through a range of activities, including renewal of software and the installation of switches. This represents 96% (above the quantitative indicator 90%) of the networks (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saúde*, and the 11 certificates of works completed certifying the delivery of 1924 switches to local information technology networks and the completion of the upgrade of 1871 local information technology networks).
…which shall thus become able to operate in the new model of unified communications (Voice over Internet Protocol)
Voice Over Internet Protocol is defined as the routing of human conversation using the Internet or any other IP-based computer network, making voice transmission one of the services supported by the data network. It allows for the integration of all forms of communication, thus optimising business processes, and reducing response time and costs *(*Progress report, section *II Evidencias - RE-C01-i06: Transição Digital na Saude)*.
As specified in the eleven certificates of work completion (evidence iii. a)-k)), all the upgraded local information technology networks are able to operate using the Voice over Internet Protocol.

Furthermore, in line with the description of the measure, **the health data network shall be enhanced, with a view to improving the quality of service and resilience of the computer systems available in the National Health Service, facilitating the use of data in decision support systems…**
The installation of switches in the local information technology networks represents an enhancement of the health data network, as it consists of a physical upgrade allowing for increased resilience of the computer systems available in the National Health Service and for the implementation of the new model of unified communications. The latter, in turn, improves quality of service and facilitates the use of data in decision support systems. *(*Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude*).

...ensuring the interoperability between different information systems and compliance with appropriate security principles.

Once the new model of unified communications is implemented in the local technology networks, it ensures that the different information systems in the different local technology networks are interoperable. In fact, unified communications offer the integration of business processes, meaning the simplification and interoperability of all forms of communication with a view to optimise business processes and reduce response time, manage flows and eliminate dependencies communication and devices. The use of Voice over Internet Protocol in the different local technology network allows the use a common, readily available security measures to ensure compliance with security principles *(*Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude*).

The target in the Council Implementing Decision is further specified in the Operational Arrangements, which requires the target to **include a set of infrastructural interventions organised and executed by SPMS, to be carried out on the connectivity structures and local networks of the sites (physical locations) identified and registered in the Health Information Network (*Rede Informática da Saúde*, RIS).**

As mentioned above, SPMS was responsible for the acquisition and installation of switches in the physical networks of the different local health units that are identified and registered in the Health Information Network, improving the connectivity between them and enabling the use of Voice over IP services.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 1.33	Related Measure: RE-C01-i06: Digital Health Transition		
Name of the Target: Implementation of functionalities for telehealth and telemonitoring			
Quantitative Indicator: %	**Baseline: 0**	**Target: 15**	**Time:** Q4 2022

Context:

The objective of the investment is to address bottlenecks hampering the digital transition in the National Health Service, including the lack of appropriate hardware and software at the disposal of health care workers, to strengthen the standardisation of the information systems in the National Health Service, and to improve user experience and access to data.

Target 1.33 concerns the implementation of functionalities for telehealth and telemonitoring functionalities, thus enabling the provision of remote health care services.

Target 1.33, together with target 1.32, is the first step of the implementation of the investment and it will be followed by target 1.34. Target 1.32 concerns the upgrade of local information technology networks in the National Health Service, and target 1.34 covers the implementation of information technology administrative modules, basic clinical modules and emergency clinical modules.

The investment has a final expected date for implementation in Q2 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled

ii) **Progress report** on target 1.33 (*Relatório 1.33)* provided and signed in September 2023 (no date specified) by Shared Services of the Ministry of Health (*Serviços Partilhados do Ministério da Saúde*) tracking the new telehealth and telemonitoring functionalities, enabling the provision of remote health care services

iii) **Certificates of work completion** demonstrating that the implementation of functionalities for telehealth and telemonitoring has been completed and that they are operational

   a) Signed **certificate of work completion** of 28 September 2023 between the contractor

(*Centro Nacional de Telessaúde*) and the competent authority *Serviços Partilhados do Ministério da Saúde, E.P.E. (henceforth referred to as SPMS*) demonstrating that the implementation of functionalities for telehealth has been completed and that they are operational for **Portal SNS 24**

b) Signed **certificate of work completion** of 28 September 2023 between the contractor (*Centro Nacional de Telessaúde*) and the competent authority *Serviços Partilhados do Ministério da Saúde, E.P.E. (henceforth referred to as SPMS*) demonstrating that the implementation of functionalities for telehealth has been completed and that they are operational for **App SNS 24**

c) Signed **certificate of work completion** of 28 September 2023 between the contractor (*Centro Nacional de Telessaúde*) and the competent authority *Serviços Partilhados do Ministério da Saúde, E.P.E. (henceforth referred to as SPMS*) demonstrating that the implementation of functionalities for telehealth has been completed and that they are operational for **Linha SNS 24**

d) Signed **certificate of work completion** of 28 September 2023 between the contractor (*Centro Nacional de Telessaúde*) and the competent authority *Serviços Partilhados do Ministério da Saúde, E.P.E. (henceforth referred to as SPMS*) demonstrating that the implementation of functionalities for telemonitoring has been completed and that they are operational for **App Telemonit**

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Percentage of users with access to new telehealth and telemonitoring functionalities, enabling the provision of remote health care services…

Telehealth is defined as the use of Information and Communication Technologies to support health remotely in the areas of care, service organisation and training of health professionals and citizens (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude,* pages 7 and 8). Similarly, telemonitoring is defined as the use of Information and Communication Technologies to monitor citizens' biometrics remotely, such as blood pressure, heart rate, capillary glycaemia, weight, oximetry and temperature (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude,* page 17*).* As such, telehealth and telemonitoring functionalities allow health care professionals to provide services remotely.

Several telehealth tools have been implemented and ensure that new telehealth functionalities are available to at least 15% of citizens, as required by the quantitative indicator:

i) SNS (*Serviço Nacional de Saúde*, or National Health Service) 24 Line (*Linha SNS 24*) – a telephone line (808 24 24 24) offering a range of clinical (such as referral for HIV/AIDS, HBV, HCV associated with self-tests and rapid tests) and non-clinical services (such as booking primary health care consultations). Two functionalities have been developed in the framework of the target, namely (i) digital triage and (ii) automated services (bot). Given that the services provided through the SNS 24 Line can be used by dialling the telephone number stated above, the functionalities are available to all citizens (above the quantitative indicator of 15%) of citizens (Progress report, section II *Evidencias- RE-C01-i06: Transicao Digital na Saude* and *Tabela 1 - Funcionalidades Canais SNS 24,* pages 9 to 12).

ii) SNS 24 Portal (*Portal SNS 24*) - a platform providing access to a wide range of online information and services (such as Digital COVID Certificates), provided by the SNS institutions and other institutions of the Ministry of Health. Three functionalities have been developed in the framework of the target, namely (i) provision of medical certificate of incapacity, (ii) request for self-declaration of disease and (iii) consultation of results of dispensing medication. Given that the services provided through the SNS 24 Portal can be used accessing the Portal online, the functionalities are available to all citizens (above the quantitative

indicator of 15%) of citizens (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude* and *Tabela 1 - Funcionalidades Canais SNS 24,* pages 9 to 12).

iii) SNS 24 App (*App SNS 24*) – a mobile application gathering citizens' health information and allowing access to a wide range of digital services (such as access to the results of examinations). Five functionalities have been developed in the framework of the target, namely (i) record for availability of consultation, (ii) request for self-declaration of disease, (iii) consultation of results of dispensing medication, (iv) consultation of the package leaflet of the medicinal product dispensed and (v) access to blood donor card. Given that the services provided through the SNS 24 App can be used by downloading the application (versions of the application are available for operating systems Android, iOS and EMUI), the functionalities are available to all citizens (above the quantitative indicator of 15%) (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude* and *Tabela 1 - Funcionalidades Canais SNS 24,* pages 9 to 12).

One telemonitoring functionality has been implemented and is available to at least 15% of citizens:

i) App Telemonit SNS 24 – a mobile application where users can access their personal clinical monitoring plan, proposed by a health professional (https://www.sns24.gov.pt/guia/app-telemonit-sns-24/). The application is used in seven units for the National Health Service, covering 39% of the population (above the quantitative indicator of 15%). Therefore, the application is available for at least 15% of citizens (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude,* pages 17 to 20).

As specified in the certificates of work completion (certificates of work completion for Portal SNS 24, for App SNS 24, for Linha SNS 24 and for App Telemonit), the functionalities for telehealth and telemonitoring have been completed and are operational. Similarly, the fact that citizens use such functionalities (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude,* pages 13 to 15 and page 19) confirms that the above-mentioned functionalities have been completed and are operational.

...thereby increasing levels of access to health care and citizen participation in the process of remote information collection and treatment.

The main advantages of telehealth and telemonitoring are (i) the possibility to share knowledge and experience of healthcare professionals in the management of cases followed by several specialists, (ii) the possibility to better identify the need for referral to other specialities, (iii) the contribution to the reduction of waiting lists and (iv) the continuous monitoring of the health of the user, diminishing the risks of acute illness or need for emergency care (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude,* pages 8 and 9). Therefore, the remote provision of health services allowed by telehealth and telemonitoring benefits citizens as well as health professionals. The new functionalities have broadened the scope of health services provided remotely, *de facto* increasing the levels of access to healthcare and citizens participation in the remote collection of information, as well as remote treatment of diseases.

Furthermore, in line with the description of the measure, **the communication between citizens and health units shall be simplified, standardised and digitalised through electronic tools, such as a citizen-centred platform and telehealth tools to increase the access to healthcare.**

Considering that the telehealth and telemonitoring functionalities have been established to offer a variety of digital medical services, both the telehealth and telemonitoring functionalities are tools which have digitised, standardised and simplified the communication between citizens and both health units and professionals. In particular, the App Telemonit 24 allows for the continuous exchange of information between patients and the health professionals. Considering that the tools have been set up for making digital platforms and services available to citizens, the very nature of the telehealth and telemonitoring functionalities is citizen-centred. Additionally, the access to specialized care through the online platforms, mobile applications and mobile devices allows citizens to easily connect

with healthcare professionals and healthcare units, hence increasing their access to healthcare.

Furthermore, in line with the description of the measure, **upgraded and interoperable tools shall be available to health professionals (e.g. telemonitoring and tele-rehabilitation platforms, and systems that enhance the portability of data between primary care, hospital and integrated continued care facilities) and relevant training on digital skills.**
By definition, telehealth and telemonitoring platforms are also available to health professionals. The above-mentioned telemonitoring application Telemonit SNS 24 aims at responding to the need for continuous management the health status of users, especially those with chronic diseases (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude,* page 17).
The characteristics of the telehealth and telemonitoring functionalities depicted above hold for the description of the measure. In addition, the SMPS has provided support for the use of the telemonitoring platform via a digital course to empower health professionals in the use of the platform (https://academia.spms.min-saude.pt/telessaude-sns-novos-modelos-de-prestacao-de-cuidados/), instructions to users to handle incidents on the platform and the mobile application (Progress report, section *II Evidencias - RE-C01-i06: Transicao Digital na Saude,* page 20).

The target in the Council Implementing Decision is further specified in the Operational Arrangements, which requires that **the access to new telehealth and telemonitoring functionalities shall be understood as the availability of digital platforms and services to citizens to enable the provision of remote health care services**. As mentioned above, both telehealth and telemonitoring services include digital tools (such as telephone line, applications and platform), allowing the provision of health care services to citizens remotely.
In addition, the further specification in the Operational Arrangements require the access to new telehealth and telemonitoring functionalities to **increase the levels of access to health care and citizen participation in the process of remote information collection and treatment.** As specified, citizens can access remotely additional health care services via the new telehealth and telemonitoring functionalities. The interaction model for telehealth can be divided in two categories. Asynchronous services consist of storing information collected in citizen's presence and communication to the receiver in delayed time (such as image recording), while synchronous services happen when the parties involved exchange information in real time (such as videoconferencing). Telemonitoring consists of the use of communication technologies to remotely monitor biometric parameters of the citizen (such as blood pressure, heart rhythm, capillary glycaemia, weight, oximetry and temperature), which are transmitted to the care provider. Therefore, the new telehealth and telemonitoring functionalities contribute to increasing the levels of access to health care and citizen participation in the process of remote information collection and treatment.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 2.1	Related Measure: RE-C02-i01: Support Programme for Access to Housing		
Name of the Target: Support programme for access to housing - Collaborative or Funding Arrangements signed			
Quantitative Indicator: Signature of collaborative or funding arrangements	**Baseline:** 0	**Target:** 75	**Time:** Q3 2022

Context:
The objective of the investment is to provide social housing accommodation and financial support for social housing. The investment consists mainly of construction and renovation of buildings, as well as, whenever necessary, the acquisition of new buildings or the lease of buildings to sublease. Together with the loan financed measure RE-C02-i09, it aims to provide improved housing conditions for 26 000 households.
Target 2.1 concerns the signature of 75 collaborative or funding arrangements between the implementing body, Housing and Urban Rehabilitation Institute (IHRU), and the promoting entities of

the works, mostly municipalities.
Target 2.1 is the first step of the implementation of the investment, and it will be followed by targets 2.2, 2.3, 2.29 and 2.32 (under investment RE-C02-i09), related to an accumulative number of 26 000 dwellings delivered to eligible households of the programme. The investment has a final expected date for implementation in Q2 2026.

Evidence Provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.
ii) **Implementation report** signed by the Housing and Urban Rehabilitation Institute on 7 March 2023, describing the national housing strategy, the distribution of local accommodation strategies per municipalities and providing an overview of the signed collaborative or funding arrangements.
iii) **List of signed collaborative or funding agreements** provided by the Housing and Urban Rehabilitation Institute, including the promoting entities and dates of signature.

The authorities also provided:

iv) **75 collaborative and funding agreements,** signed by the Housing and Urban Rehabilitation Institute and the promoting entities of the works between 5 May 2020 and 21 July 2021.
v) **Decree Law No. 37/2018 of 4 June** (published in the Official Journal, *Diário da República*, No. 106/2018, first series of 4 June 2018, pages 2348 – 2364), establishing the programme under which this investment is implemented *('1.º Direito'*).
vi) **65 analyses forms** ('*fichas de análise*') and **ten local accommodation strategies** provided by the Housing and Urban Rehabilitation Institute, showing compliance with the programme.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.
Signature of collaborative or funding arrangements.
75 signed collaborative and funding agreements have been provided by the Portuguese authorities (as required by the quantitative indicator), consisting of 73 collaborative agreements signed between the Housing and Urban Rehabilitation Institute and municipalities and two funding agreements signed between the Housing and Urban Rehabilitation Institute and housing entities. A list of the signed agreements has been provided with a reference to each agreement, the promoting entity (as per page 1 of the collaborative and funding agreements), and the signature date, showing that 75 agreements were signed between 5 May 2020 and 21 July 2021 (as per page 4 of the collaborative and funding agreements).
The local accommodation strategies are presented by the municipalities. These strategies identify 1) all the needs eligible under this programme (as specified in Decree Law No. 37/2018 of 4 June), and 2) the entities promoting housing solutions.
Decree Law No. 37/2018 established the programme *('1.º Direito'*) under which this investment is implemented and defines its eligibility criteria in chapters II to VI. It outlines that municipalities define their housing needs and priorities through local accommodation strategies that are submitted to the Housing and Urban Rehabilitation Institute under the programme, and which can be developed by the municipalities themselves or by other housing entities (see Article 30 of Decree Law No. 37/2018, and Implementation report, section 1). The strategies identify all the housing needs faced in the municipalities in accordance with the eligibility criteria set in Decree Law No. 37/2018 (as per page 1, points 1 to 5, of the 75 collaborative and funding agreements). The housing 'needs' of each municipality are identified in annex I of the 75 collaborative and funding agreements. The 'entities promoting housing solutions' are stated in page 2 of the agreements and include the municipalities or

other housing entities.

After the IHRU (Housing and Urban Rehabilitation Institute) has validated the local accommodation strategies' compliance with the programme, the collaboration agreements with municipalities or the financing agreements with the other beneficiaries framing the concrete investments to be promoted are signed and the deadline for their implementation specified.

Points 4 and 5 of page 1 of the 75 collaborative and funding agreements acknowledge the reception of the local accommodation strategies and set out that the agreements were then signed to finance the housing solutions that were identified as eligible under the programme. Articles 62 and 63 of Decree Law No. 37/2018 also detail the validation procedure of local housing strategies. The Housing and Urban Rehabilitation Institute provided 65 analysis forms ('*fichas de análise*') showing the analysis of the local accommodation strategies prior to the signature of the agreements and their approval on page 1. In 10 cases where agreements were signed in 2020, the Housing and Urban Rehabilitation Institute had not introduced the methodology of using standardised analysis forms at that time. For these cases, the Housing and Urban Rehabilitation Institute provided the local accommodation strategies to prove alignment between the strategies and the housing solutions included in the signed agreements. This alignment shows that, also for these 10 cases, the Housing and Urban Rehabilitation Institute validated the compliance of local accommodation strategies with the programme prior to the signature of the agreements.

It is worth noting that the 75 collaborative and funding agreements do not only cover the housing solutions financed by the Recovery and Resilience Facility that will be considered under targets 2.2 2.3, 2.29 and 2.32. Clause 5 of the collaborative and funding agreements outlines the general duration of the agreement as being that of six years from the date of signature, while Annex I includes the specific duration for each housing solution under the agreement. All housing solutions financed under the Recovery and Resilience Facility have a completion deadline before 30 June 2026. Other housing solutions in the agreements that will be provided to families beyond 2026 are lease of buildings to sublease.

Annex I of the collaborative and funding agreements presents the housing solutions that the programme is financing, framing the concrete investments to be promoted.

Furthermore, in line with the description of the measure, **the investment shall consist of providing mainly social housing accommodation. The investments shall consist of the construction of new buildings or the renovation of existing dwellings, as well as, whenever necessary, the acquisition of new buildings or the lease of buildings to sublease**. As described in the implementation report, page 3, the investment is based on the promotion of housing solutions needed to address housing shortages. This is, providing social housing accommodation. Page 7 of the implementation report refers that the programme *1.º Direito* is the main housing policy instrument in Portugal for promoting housing for people in need and who do not have the financial capacity to bear the cost of access to adequate housing. Furthermore, the 75 collaborative and funding agreements include in Clause 2 and in Annex I's column 'type of solution' the number of dwellings under each category (construction, renovation, acquisition, and lease of buildings to sublease), covering all categories. A list of the solutions under each agreement is also provided in Section 3 of the implementation report.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 2.4	Related Measure: RE-C02-i02: National Emergency and Temporary Accommodation Grant		
Name of the Target: National emergency and temporary accommodation grant – Signature of funding agreements for emergency and transition accommodation			
Quantitative Indicator: The number of accommodations for which funding agreements are signed.	**Baseline:** 0	**Target:** 500	**Time:** Q3 2022

Context:

The objective of the investment is to provide temporary or emergency accommodation to vulnerable population groups, including victims of domestic violence, victims of human trafficking, persons under international protection, and homeless individuals. The goal is to implement the reform of the National Urgent and Temporary Housing Plan by creating 2 000 emergency accommodations, 473 habitational units, three blocks for security forces, and five centres for temporary accommodation for humanitarian or security reasons.

Target 2.4 concerns the signature of funding agreements covering 500 temporary or emergency accommodations.

Target 2.4 is the first step of the implementation of the investment, and it will be followed by targets 2.5 related to the signature of agreements for a cumulative number of 1 000 accommodations, and 2.6 and 2.7 related to the delivery of accommodation to the sponsoring bodies. The investment has a final expected date for implementation in Q2 2026.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constituent elements) was satisfactorily completed.

ii) **Implementation report** by the implementing body, Housing and Urban Rehabilitation Institute (*Instituto da Habitação e da Reabilitação Urbana,* IHRU), and signed on 5 June 2023, explaining the measures taken, and the criteria used to analyse applications for funding submitted by entities under the call for tenders.

iii) **List of signed funding agreements** provided by the Housing and Urban Rehabilitation Institute, describing the number of accommodations and their respective typology.

The authorities also provided:

iv) **38 funding agreements** signed between 27 June and 27 October 2022, by the Housing and Urban Rehabilitation Institute and the implementing partners, covering 505 accommodations.

v) **38 opinions from the Institute of Social Security** (*Instituto da Segurança Social, I.P*), showing a favourable opinion regarding the selected applications.

vi) **Notice No. 1/C02-i02/2021** dated 12 November 2021, issued by the Housing and Urban Rehabilitation Institute, calling for expressions of interest for projects.

vii) **Notice No. 2/C02-i02/2021** dated 15 December 2021, issued by the Housing and Urban Rehabilitation Institute, inviting pre-selected projects to submit their applications.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

The number of accommodations for which funding agreements are signed.

As shown in the list of the signed funding agreements, there are 505 accommodations with funding agreements signed (above the quantitative indicator of 500). The agreements were signed by the Housing and Urban Rehabilitation Institute, and the implementing partners. The signatures can be seen on page nine of each of the 38 funding agreements. The number of accommodations can be found in the Annex of the 38 funding agreements.

As per annex I, section 3, of Notice No. 2/C02-i02/2021, accommodation means part or all of a building with independent access consisting of one or more housing compartments and additional private spaces or residential units for more than one household.

Entities submit their applications for funding in the call for tenders opened by the IHRU (Housing and Urban Rehabilitation Institute) which, after assessing and requesting an opinion from the ISS (Institute of Social Security) on the validity and feasibility of the submitted applications, contracts the funding and sets the deadline for its implementation.

The call for tenders of the investment occurred in two stages as explained on pages 4 to 11 of the Implementation report. The first stage concerned the call of the Housing and Urban Rehabilitation Institute for projects to express their interest for the investment, the manifestations of interest (Notice No. 1/C02-i02/2021). The goal was to identify the entities and projects that met the eligibility criteria, particularly regarding the execution period and the conditions of the reform of National Urgent and Temporary Housing Plan (as per point 1, page 1 of Notice No. 1/C02-i02/2021).
In a second phase, the Housing and Urban Rehabilitation Institute published a call for applications (Notice No. 2/C02-i02/2021) for the selection of projects to be funded (as per page 5 of Notice No. 2/C02-i02/2021). As outlined in Section 1.1 of this notice, the Housing and Urban Rehabilitation Institute is responsible for managing and monitoring the applications, and the Instituto da Segurança Social (ISS) is responsible to give a favourable opinion.
The assessment of the applications by the Housing and Urban Rehabilitation Institute was based on the criteria set in Section 2.3 of Notice No. 2/C02-i02/202, which outlines the conditions for access and eligibility. The section also states that entities can only access financing under the investment by applying to that notice, and subject to projects meeting the set requirements. Section 6 of Notice No. 2/C02-i02/202 further explains that the formalisation of the financing is carried out by the signature of a funding agreement. Therefore, the funding agreement are signed between the Housing and Urban Rehabilitation Institute and the applicants of the tender whose applications were positively assessed by the Housing and Urban Rehabilitation Institute following the assessment of the submission of applications under the notice.
The criteria of the ISS's opinion are further specified in Section 2.4 of Notice No. 2/C02-i02/2021. Moreover, in the requisites for financing specified in Section 2.3 of Notice No. 2/C02-i02/2021, it is included as criteria for access to financing a requirement that the projects need to receive a favourable opinion from the ISS. The 38 opinions from the Institute of Social Security, show that all projects received a positive opinion. The validity and feasibility of the submitted applications are assessed under the section 'analysis form of ISS criteria in the Notice No. 2/C02-i02/202', in the 38 opinions from the Institute of Social Security.
Following the two phases of tendering, the Housing and Urban Rehabilitation Institute signed funding agreements with the selected entities. The deadlines for implementation are found in Clause 6.1 a) of each of the 38 individual funding agreements and range between 31 December 2022 and 30 April 2026.

Furthermore, in line with the description of the measure, **this investment serves to implement the Reform of the National Urgent and Temporary Housing Plan included in the component. The following risks or social emergencies frame the interventions planned: unforeseeable or exceptional events, the need for urgent accommodation and empowerment of persons temporarily deprived of housing, including victims of domestic violence, victims of human trafficking, persons under international protection, homeless persons; extraordinary and duly substantiated needs for urgent and temporary accommodation for persons at imminent and actual risk of being left without accommodation or in the process of de-institutionalisation.**
Section 4.4 of Notice No. 1/C02-i02/2021 defines, as part of the eligibility criteria, that the interventions shall be aligned with the National Urgent and Temporary Housing Plan. Such alignment is analysed and approved by the Institute of Social Security which was provided in the 38 opinions from the Institute of Social Security. The National Urgent and Temporary Housing Plan sets out the risks or social emergencies that frame the interventions planned. Clause 2, point 2, of the 38 funding agreements foresees that the projects cover temporary or emergency accommodation for these types of interventions, which were framed in the National Urgent and Temporary Housing Plan. Annex, section 2 of Notice No. 1/C02-i02/2021 and Annex 1, point 2, of Notice No. 2/C02-i02/2021, also included these types of interventions as part of the National Urgent and Temporary Housing Plan. In addition, the 38 opinions from the Institute of Social Security show that these types of interventions were covered in the section 'target groups'.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 3.11	Related Measure: RE-C03-i03-RAM: Strengthening social responses in the Autonomous Region of Madeira (ARM)		
Name of the Target: Life Plans for the integration of homeless people.			
Quantitative Indicator: 3.11	**Baseline:** 0	**Target:** 20	**Time:** Q4 2022

Context:

The objective of the investment is to improve the social services network in the Autonomous Region of Madeira, targeting primarily elderly and homeless people. The measure includes the expansion and renovation of places in care homes for elderly and homeless people, and the purchase of equipment.

Target 3.11 concerns the signature of 20 Life Plans for the integration of homeless people. The Life Plans set out, for each person, the interventions planned, their goal, and detail each action.

Target 3.11 is the first step of the implementation of the investment, and it will be followed by target 3.10 concerning 910 new and renovated places in care homes for elderly, and target 3.27 concerning the creation of 90 places in care homes supporting homeless people. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.

ii) **Life Plans** signed between the implementing body Associação Protetora dos Pobres and homeless people:
   a) Life Plan 1 (reference 3.1_PV 01 2022) signed on 22 December 2022.
   b) Life Plan 2 (reference 3.2_PV 02 2022) signed on 28 December 2022.
   c) Life Plan 3 (reference 3.3_PV 03 2022) signed on 29 December 2022.
   d) Life Plan 4 (reference 3.4_PV 04 2022) signed on 28 December 2022.
   e) Life Plan 5 (reference 3.5_PV 05 2022) signed on 28 December 2022.
   f) Life Plan 6 (reference 3.6_PV 08 2022) signed on 27 December 2022.
   g) Life Plan 7 (reference 3.7_PV 09 2022) signed on 19 December 2022.
   h) Life Plan 8 (reference 3.8_PV 11 2022) signed on 19 December 2022.
   i) Life Plan 9 (reference 3.9_PV 12 2022) signed on 19 December 2022.
   j) Life Plan 10 (reference 3.10_PV 13 2022) signed on 28 December 2022.
   k) Life Plan 11 (reference 3.11_PV 14 2022) signed on 28 December 2022.
   l) Life Plan 12 (reference 3.12_PV 16 2022) signed on 29 December 2022.
   m) Life Plan 13 (reference 3.13_PV 17 2022) signed on 19 December 2022.
   n) Life Plan 14 (reference 3.14_PV 18 2022) signed on 16 December 2022.
   o) Life Plan 15 (reference 3.15_PV 23 2022) signed on 28 December 2022.

iii) **Life Plans** signed between the implementing body Centro Social Paroquial do Carmo and homeless people:
   p) Life Plan 16 (reference 4.1_Projeto Individual II) signed on 20 October 2022.
   q) Life Plan 17 (reference 4.2_Projeto Individual III) signed on 25 October 2022.
   r) Life Plan 18 (reference 4.3_Projeto Individual V) signed on 2 December 2022.
   s) Life Plan 19 (reference 4.4_Projeto Individual VII) signed on 11 November 2022.
   t) Life Plan 20 (reference 4.5_Projeto Individual VIII) signed on 25 November 2022.

The authorities also provided:

iv) **Tender notice No. 02/C03-i03-RAM/2022**, published on 1 August 2022 on the website of Recuperar Portugal, concerning the competition for the selection of implementing bodies for the measure.

v) **Implementation report** of 9 August 2023, issued and signed by the Regional Secretariat for Social Inclusion and Citizenship and by the Madeira Social Security Institute, on the signature of the Life Plans.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Number of Life Plans for integration of homeless people signed.

The authorities provided 20 Life Plans signed, as required by the quantitative indicator of the target in the Council Implementing Decision. Each Life Plan covers the individual plan for the integration of the respective homeless person. The Life Plans were signed by the homeless people and the respective project managers, between 20 October and 29 December 2022. The signatures can be found on the last pages of the Life Plans.

Preceding the signature of the Life Plans, the authorities published on 1 August 2022 tender No. 02/C03-i03-RAM/2022, a competition for the selection of the implementing bodies for the work with the homeless people (as per section 2 on final beneficiaries). This competition resulted in the selection of two implementing bodies, *Associação Protetora dos Pobres* and *Centro Social Paroquial do Carmo* (as per the implementation report, pages 2 to 5), with the goal of covering support to 15 and 5 homeless people, respectively. The integration of homeless people is ensured by the actions foreseen in the Life Plans (as per the implementation report, pages 1 and 2 on the general framework).

Each Life Plan is divided into the following areas of intervention: housing, health, professional skills, income, mental health and safety, interpersonal and social skills, family relationships, justice or legal problem matters, planning for temporary accommodation, and others. For each area of intervention, there is a list of actions with the goal, action detail, actors involved, timeline and monitoring, that were designed considering the specific situation of each homeless person (as per the Life Plans, sections 1 to 10).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 4.6	Related Measure: RE-C04-i02: Cultural heritage
Name of the Milestone: Establishment of 'Saber Fazer' network	
Qualitative Indicator: Creation of a repository of information and documentation on domestic artisanal production, identification, and mapping of raw material	**Time:** Q4 2022

Context:

The objective of the investment is to protect the cultural heritage in Portugal. The main actions are the renovation of cultural installations to adapt them to the new environmental standards, and the protection of artisan techniques and professions.

Milestone 4.6 requires (i) the creation of a repository of information and documentation on domestic artisanal production and (ii) the identification and mapping of raw materials.

Milestone 4.6 is the first step of the implementation of the investment and it will be followed by target 4.7 and target 4.8 related to the rehabilitation and conservation of cultural heritage buildings and national theatres, milestone 4.11 related to the installation of laboratories and routes of the 'Saber Fazer' Technological Centre Initiative, and the creation of pedagogical and informative activities on traditional techniques, and milestone 4.12 related to the completion of construction of the National Archive of Sound. The investment has a final expected date for implementation in Q1 2026.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled;

ii) **Copy of the documentation establishing the 'Saber Fazer' network:**

i. **Council of Ministers Resolution No. 89/2020** of 23 October (published in Portugal's Official Journal, *Diário da República* No. 207, first series of 23 October 2020, pages 6-11), establishing the Saber Fazer network and its purpose;

ii. **Decree Law No. 43/2021** of 7 June (published in the Official Journal, *Diário da República* No. 109, first series of 7 June 2021, pages 10-13) creating the Saber Fazer Association;

iii. **Financing Contract** of 19 May 2022 between the intermediary beneficiary *Cultural Heritage Safeguard Fund* and the final beneficiary *Directorate-General for Arts* estimating the budget to financially support the operations implementing the Saber Fazer programme;

iv. Links to the repository of information and documentation on domestic artisanal production and to the identification and mapping of raw material used in artisanal production:

a) Link to Digital Repository of the Saber Fazer program website: **https://programasaberfazer.gov.pt/**

b) Link to the mapping of raw materials: **https://programasaberfazer.gov.pt/atlas/**

The authorities also provided:

iii) **Interim report issued by DGARTES** on 09 December 2022, which includes an example of the navigation on the site, the repository of information and documentation on national production, as well as the identification and survey of raw materials.

Analysis:

The justification and substantiating evidence provided by Portugal authorities covers all constitutive elements of the milestone.

Establishment of 'Saber Fazer' network...

The Council of Ministers Resolution No. 89/2020 established the Saber Fazer programme (Point 1 and 5). The Saber Fazer programme (which literally translates into "Know-how programme", henceforth "the Programme") aims to affirm traditional artisanal production as a dynamic, innovative and sustainable sector, which actively contributes to the rich and diverse cultural heritage and to the socio-economic development of the country (as per Section I, sub-paragraph 2). The Programme aims to ensure the transfer of knowledge of artisanal practices to the new generations, to promote strategic innovation, the qualification of products and their cultural and economic valorisation (as per Decree Law No. 43/2021 of 7 June, sub-paragraph 7). The strategic objectives of the Programme include the collection, organisation, production and provision of knowledge on crafts and raw materials (as per Council of Ministers Resolution No. 89/2020, Section II, point 1.1). The Programme contains the national strategy for traditional crafts for the years 2021-2024 and sets out measures to safeguard, recognise and sustainably develop artisanal production (as per Council of Ministers Resolution No. 89/2020, sub-paragraph 8).

The Financing Contract between the intermediary beneficiary *Cultural Heritage Safeguard Fund* and the final beneficiary *Directorate-General for Arts* also explains that the Programme operates as a network:

- Annex III, first sub-paragraph: *"Creation of a repository of information and documentation on national artisanal production in order to create a Saber Fazer Network"*;
- Section on M1/ Laboratories: *"As regards the Saber Fazer Network, six LITs (Territorial Intervention Laboratories) are planned to be implemented in 2022, four in 2023 and two per year in 2024 and 2025."*
- Section on M1/ Information programs: "*Implementation of workshops in conjunction with agents*

of Saber Fazer network".

...creation of a repository of information and documentation on domestic artisanal production

A digital repository of information, namely a website dedicated to the Saber Fazer programme, has been created (https://programasaberfazer.gov.pt/). This platform gathers and disseminates knowledge about traditional artisanal production, promoting the transmission of this knowledge and the continuity of craft activities (as stated on page 5, sub-paragraph 2 of the Interim report issued by DGARTES). Furthermore, the platform presents information on national artisanal production putting emphasis, among other things, on the relationship between the raw materials and the territory around them (page 6, sub-paragraph 2 of the Interim report issued by DGARTES).

The user can do a search by "Arts" or by "Practices, materials and artifacts". For each type of domestic artisanal production (such as wool weaving, embroidery), the website provides (i) an introduction to the material under discussion, (ii) the history and evolution of the tradition of that material, comprising the history of the development tradition and the geographic distribution, (iii) the link to the pages of the website dedicated to the relevant material (such as wool, silk, clay), (iv) the bibliography of sources used, (vii) a list and a map of points of interest in the country in relation to the material in question, (viii) hyperlinks to informative videos , (ix) a list of relevant publications, (x) hyperlinks to information documents, and (xi) hyperlinks to relevant associations or archives where more information about the material in question can be found. Lastly, the repository provides for a Contact Form, allowing users to ask for clarifications, share information and provide suggestions. It can be accessed at the following link: https://programasaberfazer.gov.pt/.

The Interim report issued by DGARTES sets out a mock experience of the navigation on the repository of information and documentation on national production (page 7).

...and identification and mapping of raw materials used in artisanal production.

This action was carried out through the publication, on the Saber Fazer repository, of the Atlas of raw materials at the following link: https://programasaberfazer.gov.pt/atlas/. By clicking on the Atlas page, the user can find a directory where it is possible to search for the various arts and crafts in Portugal and the raw materials and materials used in their artisanal production.

The Interim report issued by DGARTES also sets out a mock experience of the identification and mapping of raw materials (pages 7-9).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 5.5	Related Measure: RE-C05-i01.01: Mobilising Agendas/Alliances for Business Innovation		
Name of the Target: Conclusion of Contracts to develop new products, processes or services in relevant strategic areas (Innovation Agendas).			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 6	**Time:** Q4 2022

Context:

The objective of the investment is to strengthen Portugal's scientific and technological capabilities via the deployment of ambitious research and innovation agendas based on consortia between business and technological/academical institutions. These agendas will support the development of several innovative products, processes and services (*hereinafter referred to as PPS*) in specific fields.

Target 5.5 requires the conclusion of six contracts (innovation pacts or mobilising projects), supporting at least 60 PPS. The contracts should the relevant DNSH requirements and information on the entities of each consortium, the amounts of the investment and funding, the objectives of the PPS and monitoring systems in place.

Target 5.5 is the first target under this investment, and it will be followed by target 5.6 related to the completion of the PPS proposed by the consortia. The investment has a final expected date for

implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was satisfactorily fulfilled.

ii) **Competition tender notice No. 02/C05-i01/2021**, published on 31 January 2022 and accessible on the websites of *Recuperar Portugal* and IAPMEI (Portuguese Agency for Competitiveness and Innovation), including the DNSH eligibility criteria.

iii) **Contracts (terms of acceptance) with the six consortia,** including the list of projects supported:

   a) Contract with consortium leader EROFIO - ENGENHARIA E FABRICAÇÃO DE MOLDES S.A., signed on 18 April 2023, constituting agenda "INOV.AM – Inovação em Fabricação Aditiva" supporting 8 products, processes or services;
   b) Contract with consortium leader BLUEPHARMA - INDÚSTRIA FARMACÊUTICA S.A., signed on 15 September 2022, constituting agenda "CiNTech: Polo Tecnológico de Inovação, Translação e Industrialização de Medicamentos Injetáveis Complexos" supporting 7 products, processes or services;
   c) Contract with consortium leader POLISPORT PLASTICOS S.A., signed on 28 March 2023, constituting agenda "AM2R - Agenda Mobilizadora para a inovação empresarial do setor das Duas Rodas" supporting 55 products, processes or services;
   d) Contract with consortium leader NEURASPACE, S.A, signed on 12 December 2022, constituting agenda "NEURASPACE - AI Fights Space Debris" supporting 5 products, processes or services;
   e) Contract with consortium leader ESTAMPARIA TÊXTIL - ADALBERTO PINTO DA SILVA S.A., signed on 21 March 2023, constituting agenda "GIATEX - Gestão Inteligente da Água na ITV" supporting 4 products, processes or services;
   f) Contract with consortium leader CONTINENTAL ADVANCED ANTENNA, SOCIEDADE UNIPESSOAL LDA, signed on 19 July 2023, constituting agenda "A-MoVeR – Agenda Mobilizadora para o Desenvolvimento de Produtos e Sistemas Inteligentes de Mobilidade Verde" supporting 3 products, processes or services;

The authorities also provided:

iv) **Government Order No. 43-A/2022** of 19 January, published in the Official Journal, *Diário da República* No. 13/2022 (first series of 19 January 2022, pages 2-16), introducing the incentive system "Agendas for Business Innovation".

v) **Competition tender notice No. 01/C05-i01/2021**, published on 1 July 2021 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation).

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Conclusion of six contracts (innovation pacts or mobilising projects) with consortia [..].

These are reported in the contracts (terms of acceptance) with the six consortia, signed on page 4 by the respective leader of the consortium in each contract. In this respect, the terms of acceptance ('Termo de Aceitação') are 'standard contractual clauses' which take the form of a 'contract of adhesion' (meaning where one of the parties has limited to no negotiating power) in the Portuguese legal system.

[..] which shall include: i) Identification of the constituent entities of the consortium; ii) The business plan/investment; iii) the amount of funding; iv) The objectives to which the beneficiary is

bound; v) The form of monitoring.
Such elements are included in the contracts (terms of acceptance) with the six consortia, where:

i) the constituent entities of the consortium are identified and listed in Annex IV;
ii) the business plan/investment of the consortia is outlined in clause 3 and Annex III (reporting the amounts of the overall investment and of the support provided, and how such amounts will be divided between entities and types of investments);
iii) the amount of financing (total support provided by the investment) is included in clause 6;
iv) the objectives of the beneficiaries are defined in Annex V, outlining the products, processes and services to be developed by the beneficiary entities (consortia);
v) the form of monitoring, to which the beneficiary entities are bound, is outlined in clause 10 of the contracts with the six consortia, as well as in Article 20 of the annex to Government Order No. 43-A/2022.

The contracts shall support a total of at least 60 products, processes or services.
A*s* demonstrated by Annex V to each of the contracts (terms of acceptance) signed with the six consortia, which reports the number of contracted products, processes or services (PPS), the total number of PPS supported by the contracts is 82.

Name of consortia leader/agenda	**Number of PPS**
Erofio - Inov.AM	8
BLUEPHARMA - CiNTech	7
POLISPORT - AM2R	55
NEURASPACE - NEURASPACE	5
ESTAMPARIA - GIATEX	4
Continental - A-MoVeR	3
Total	**82**

The terms of reference shall include eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.
Competition tender notice No. 02/C05-i01/2021 includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A). Then, in line "e" of section 4, it requires compliance with the relevant EU and national environmental legislation.

Furthermore, in line with the description of the measure, **the investment shall consist primarily of grants for the implementation of the Mobilising Agendas/Alliances for Business Innovation by means of two complementary instruments:**

i) **Innovation pacts that promote cooperation and lead to the development of innovation projects, and**
ii) **Mobilising projects aimed at R&D and its transformation into new goods and services through investment**.

The competition tender notice No. 02/C05-i01/2021 defines, in sections 11 and 12, the investment and the payment conditions (meaning primarily and exclusively grants). Then, in section 2, it requires the agendas (Mobilising Agendas for Business Innovation) to take the form of either "Innovation pacts" or "Mobilising projects". These two types of consortia are defined in Article 2 of the annex to Government Order No. 43-A/2022. More specifically, Government Order No. 43-A/2022 defines that: "*Innovation pacts, [are] programs to support collective initiatives carried out in cooperation by various*

entities and companies [..]. They include research activities and development (R&D) to be developed by companies and research and innovation institutions (I&I), and, where necessary, productive investment carried out by business entities that allows implement the production of new goods and services." and that "Mobilising p*rojects, [are] investments promoted by companies industrial or service industries, in conjunction with research and innovation (R&I) institutions, intended to implement the development and transfer of R&D and its transformation into new goods and services in the innovative strategic areas selected as targets on the agenda.".*

Furthermore, in line with the description of the measure, **the Mobilising Agendas shall be selected by means of open competitive calls for strategic plans to be proposed by consortia between enterprises and academic, scientific and/or technological institutions.**

The agendas are selected through open competitive calls, as outlined in sections 5 and 7 of tender notice No. 01/C05-i01/2021 and in sections 3 and 4 of tender notice No. 02/C05-i01/2021. The call is open to applications from all consortia complying with the eligibility criteria, as per section 5 of tender notice No. 01/C05-i01/2021. These consortia are then evaluated and rated on the basis of a number of selection criteria on their strategic plans, and then ranked on their overall score, as specified in sections 7 and 8 of tender notice No. 02/C05-i01/2021, ensuring the competitiveness of the process.

Competition tender notice No. 02/C05-i01/2021 also highlights that the plans proposed by the consortia will be evaluated based on several selection criteria (sections 1, 7 and 8). The entities between which the two types of consortia ("innovation pacts" and "mobilising projects") can be constituted are outlined in point d) and e) of Article 2 of the annex to Government Order No. 43-A/2022. These entities include enterprises and academic, technical or scientifical entities (including, where relevant, entities managing competitiveness clusters and public administration entities), as also outlined in Article 6 of the annex to Government Order No. 43-A/2022.

Furthermore, in line with the description of the measure, **in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: i) activities related to fossil fuels, including downstream use; ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and iv) activities where the long-term disposal of waste may cause harm to the environment." As well as the requirement that: "The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.**

Competition tender notice No. 02/C05-i01/2021 includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 5.7	Related Measure: RE-C05-i01.02: Green Agendas/Alliances for business innovation		
Name of the Target: Conclusion of contracts to develop new products, processes or services in strategic areas relevant to the low-carbon economy, resilience and adaptation to climate changing.			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 4	**Time:** Q4 2022

Context:
The objective of the investment is to strengthen Portugal's scientific and technological capabilities via the deployment of ambitious research and innovation agendas, focused on the green transition, based on consortia between business and technological/academical institutions. These agendas will support the development of a number of innovative products, processes and services (PPS) in specific fields.
Target 5.7 requires the conclusion of four contracts (innovation pacts or mobilising projects), to support at least 40 products, processes or services (PPS). The terms of reference shall include eligibility criteria that ensure that the selected projects comply with the DNSH technical guidance, and the contracts shall include information on the entities of each consortium, the amounts of the investment and funding, the objectives of the PPS and monitoring systems in place.
Target 5.7 is the first target under this investment and it will be followed by target 5.8, related to the completion of the PPS proposed by the consortia. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including its constitutive elements) was satisfactorily fulfilled;
ii) **Competition tender notice No. 02/C05-i01/2021**, published on 31 January 2022 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation), including the DNSH eligibility criteria;
iii) **Competition tender notice No. 01/C05-i01/2021**, published on 1 July 2021 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation), requiring "Green agendas" to align with intervention field 022.
iv) **Contracts (terms of acceptance) with the four consortia**, including the list of projects supported:
    a) Contract with consortium leader PALBIT, S.A., signed on 24 November 2022, constituting agenda "Hi-rEV – Recuperação do Setor de Componentes Automóveis" supporting 11 products, processes or services;
    b) Contract with consortium leader PEUGEOT CITRÖEN AUTOMÓVEIS PORTUGAL, S.A., signed on 20 December 2022, constituting agenda "GreenAuto: Green innovation for the Automotive Industry" supporting 18 products, processes or services;
    c) Contract with consortium leader NOS COMUNICAÇÕES, S.A., signed on 19 December 2022, constituting agenda "BE.Neutral – Agenda de Mobilidade para a neutralidade carbónica nas cidades" supporting 16 products, processes or services;
    d) Contract with consortium leader FUSION FUEL PORTUGAL, S.A., signed on 5 December 2022, constituting agenda "Sines Green Hydrogen Valley (SinesH2GValley)" supporting 2 products, processes or services;

The authorities also provided:

v) **Government Order No. 43-A/2022** of 19 January, published in Portugal's Official Journal, *Diário da República* No. 13/2022 (first series of 19 January 2019, pages 2-16), introducing the incentive system "Agendas for Business Innovation";
vi) **Explanations of compliance with intervention field 022**, by the four consortia, explaining the contribution of the consortia to this field (four documents, one per consortium)
vii) **Assessments of the evaluating authority** (four documents, one per consortium), reporting the scores received by each consortia in each selection criteria;

Analysis:

The justification and substantiating evidence provided by the Portugal authorities covers all

constitutive elements of the target.

Conclusion of four contracts (innovation pacts or mobilising projects) with consortia [..].

The contracts (terms of acceptance) with the four consortia were signed in November and December 2022. The contracts were signed on page 4 by the respective leader of the consortium in each contract. In this respect, the terms of acceptance ('Termos de Aceitação') are 'standard contractual clauses' which take the form of a 'contract of adhesion' (which is to say contracts where one of the parties has limited to no negotiating power) in the Portuguese legal system. Section 2 of competition tender notice No. 02/C05-i01/2021 requires the agendas (Mobilising Agendas for Business Innovation) to take the form of either "Innovation pacts" or "Mobilising projects". These two types of consortia are defined in Article 2 of the annex to Government Order No. 43-A/2022.

Which shall include: i) Identification of the constituent entities of the consortium; ii) The business plan/investment; iii) the amount of funding; iv) The objectives to which the beneficiary is bound; v) The form of monitoring

All aforementioned elements are included in the contracts (terms of acceptance) with the four consortia, where:

i) the constituent entities of the consortium are identified and listed in Annex IV to each of the contracts;
ii) the business plan/investment of the consortia is outlined in clause 3 of and Annex III to each of the contracts (reporting the amounts of the overall investment and of the support provided, and how such amounts will be divided between entities and types of investments);
iii) the amount of funding (total support provided by the investment) is included in clause 6 of each contract;
iv) the objectives of the beneficiaries are defined in annex V to each of the contracts, outlining the products, processes and services to be developed by the beneficiary entities (consortia); and
v) the form of monitoring, to which the beneficiary entities are bound, is outlined in clause 10 of each contract with the four consortia, as well as in Article 20 of the annex to Government Order No. 43-A/2022.

The contracts shall support a total of at least 40 products, processes or services [..]

A*s* demonstrated by Annex V to each of the contracts (terms of acceptance) signed with the four consortia, which reports the number of contracted products, processes or services (PPS), the total number of PPS supported by the contracts is 47.

Name of consortia leader/agenda	**Number of PPS**
PEUGEOT CITRÖEN - GreenAuto	18
NOS - BE.Neutral	16
PalBit - Hi-rEV	11
Fusion - SinesH2GValley	2
Total	**47**

[The contracts] shall reflect alignment with intervention field 022 (Research and innovation processes, technology transfer and cooperation between companies with a focus on the low-carbon economy and resilience and adaptation to climate change).

The four contracts with the consortia, in their first paragraph, require each of the consortia to comply with the conditions of the competition tender notice No. 02/C05-i01/2021. Points "a" and "b" of section 4 of competition tender notice No. 02/C05-i01/2021 require the consortia to comply with the conditions of the initial competition tender notice No. 01/C05-i01/2021. The first section ("*enquadramento*") of competition tender notice No. 01/C05-i01/2021 requires all green agendas to be in close alignment with intervention field 022. The consortia under this investment are classified as

"Green Agendas", as specified in Annex I (Parecer de Analise) to the four contracts with the consortia. Further evidence on the alignment with intervention field 022 is provided through the four assessments of the evaluating authority (Agenda Coordination Committee, composed as per section 8 of competition tender notice No. 02/C05-i01/2021), evaluating the plans proposed by the consortia for the first competition tender. Each plan was examined, also in terms of "*Project contribution to carbon neutrality and energy resilience*", which is an important aspect for projects under intervention field 022 (beyond R&D and technology transfer, which the agendas, by definition, represent). The selected four consortia scored 5.00 (the highest score) in the field "*Project contribution to carbon neutrality and energy resilience*" (point "F." of section 7 of the competition tender notice No. 02/C05-i01/2021), which shows alignment with intervention field 022. An additional justification for the alignment is provided in the four explanations of compliance with intervention field 022, provided by the consortia, which also outline the climate contribution of each agenda and how they align with intervention field 022.

The terms of reference shall include eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.

Competition tender notice No. 02/C05-i01/2021 includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A). Furthermore, in line "e" of section 4, it requires compliance with the relevant EU and national environmental legislation.

Furthermore, in line with the description of the measure, **in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: i) activities related to fossil fuels, including downstream use; ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and iv) activities where the long-term disposal of waste may cause harm to the environment." As well as the requirement that: "The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.** Competition tender notice No. 02/C05-i01/2021 includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 5.9	Related Measure: RE-C05-i02: Interface mission — renewal of the scientific and technological support network and guidance for productive fabric		
Name of the Target: Contracts with interface entities, including Collaborative Laboratories - CoLabs, concluded			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 20	**Time:** Q4 2022

Context:

The objective of the investment is to strengthen Portugal's scientific and technological system and improving business-academia linkages. It consolidates the new financing model of the "Interface Centres" and "Collaborative Laboratories" (CoLABs), supporting or providing services to at least 500 firms.

Target 5.9 requires the selection, following a call for tenders, of at least 20 "Interface" entities and CoLABs, to be supported and the conclusion of contracts with these 20 entities.

Target 5.9 is the first target of the investment, and it will be followed by target 5.10 related to at least 500 companies benefitting from the services provided by the Interface entities or CoLABs. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was satisfactorily fulfilled.

ii) **List of 20 selected Interface** entities provided by the Portuguese Innovation Agency (Agencia Nacional de Inovaçao, hereinafter referred to as ANI) and signed on 17 November 2023, including information on the objectives and fields of interventions of each entity.

iii) **List of entities selected as CoLABs** provided as of 31 December 2021 by Fundação para a Ciência e Tecnologia.

iv) **List of entities selected as Technological Innovation Centres** provided as of 25 October 2022 by Order No. 12688/2022 of the Secretary of State for the economy.

v) **Tender notice (terms of reference) for selection of CoLABs** No. 01/C05-i02/2022, published on 15 February 2022 and accessible on the websites of Recuperar Portugal and *ANI*.

vi) **Tender notice (terms of reference) for selection of Technological Innovation Centres** No. 03/C05-i02/2022, published on 1 September 2022 and accessible on the websites of Recuperar Portugal and ANI.

The authorities also provided:

vii) **20 contracts signed** by the Interface entities. The contracts were signed by the following entities: (i) 4LifeLAB; (ii) AquaValor; (iii) B2E; (iv) BIKiNNOV; (v) Bioref; (vi) CCG; (vii) CEIIAOE; (viii) CITEVE; (ix) CiTin; (x) CTIC; (xi) GreenCoLAB; (xii) IBET; (xiii) InPP; (xiv) KIPT; (xv) MORE; (xvi) NET4CO2; (xvii) PIEP; (xviii) ProChild; (xix) SEAPOWER; and (xx) V4H.

viii) **Decree Law No. 126-B/2021 of 31 December** (published in Portugal's Official Journal, *Diário da República* No. 253, first series, on 31 December 2021, pages 2-17), establishing the legal regime for technology and innovation centres and complementing the legal regime for collaborative laboratories.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Following a call for tenders, selection of the entities to be supported. This call is restricted to proponents recognized as 'Interface' entities or as Collaborative Laboratories.

The calls for tenders which lead to the selection of supported entities were:

i) Notice No. 01/C05-i02/2022, published on 15 February 2022, which outlines in Article 1 sub-paragraph 6 and Article 4 sub-paragraph 1 that the call for tenders is targeted exclusively at the 35 entities already qualifying as "Collaborative Laboratories" (CoLABs) at end-2021 and recognised as such by the Foundation for Science and Technology;

ii) Notice No. 03/C05-i02/2022, published on 1 September 2022, which is targeted at, and restricted to, "Interface" entities" (Technological Innovation Centres), as outlined in its Article 1 sub-paragraph 4 and Article 4 sub-paragraph 1.

Technological Innovation Centres and CoLABs are part of the Interface system, as outlined on pages 2-3 of Decree Law No.126-B/2021 of 31 December, establishing the legal regime for technology and innovation centres and complementing the legal regime for collaborative laboratories, in particular in the following paragraph: *"[..] entities that are part of the technological interface system, namely the technological centres, interface centres and CoLABs [..]".*

The list of entities selected as CoLABs and the list of entities selected as Technological Innovation Centres show that a total of 52 entities were selected following the calls for tenders, corresponding to both CoLABs and Technological Innovation Centres.

The contracts shall reflect alignment with intervention fields 021 (Technology transfer and

cooperation between businesses, research centres and education sector) and/or 022 (Search and innovation processes, technology transfer and cooperation between enterprises, focusing on the low-carbon economy and resilience and adaptation to climate change).

This requirement is outlined in points b) and c) of Annex V of the 20 contracts finalised with Interface entities and CoLABs, which require alignment of the 20 entities with intervention fields 021 and/or 022. This requirement is outlined also in section 4 of Tender notice for the selection of CoLABs, as well as in section 4 of the Tender notice for the selection of Technological Innovation Centres. Furthermore, Annex II to each of the 20 contracts includes the planned share of the investment that contributes to each of the two intervention fields. These figures are based on the investment plans proposed by the entities in Annex I of the contracts. The alignment of the entities with intervention fields 021 and /or 022 is further supported by the objectives and fields of action of the entities, reported in the List of selected Interface entities. For intervention field 021 the objectives and fields of action of the entities include, for example, the development of new digital procedures to optimize resources and support the sustainability of the Portuguese healthcare system (V4H); technology transfer and cooperation between businesses and research centres to develop computer graphics and information engineering (CCG); and technology transfers and development of intelligent systems for the industrial sector, including communication networks, control of physical processes and digitalization (CITIN). For intervention field 022 these include, for example, the development of innovative bio-inspired products and services to protect Mediterranean cultures against pests and diseases (InnovPlantProtect); technology transfers and cooperation between enterprises supporting the development of products and services for the blue economy (SEAPOWER); and research and development in CO2 capture, utilization and geological storage (NET4CO2).
Additionally, eight of the contracts include, as part of their Annex II, a list of quantitative indicators that the entity expects to achieve, contributing to (i) the green transitions (such as the number of new green technologies developed or the number of companies benefitting from self-consumption); and (ii) other technology transfers between enterprises and research centres (such as the number of new technological solutions and the number of new products).

The terms of reference shall include eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.
Portugal complied with the Do No Significant Harm (DNSH) requirements, for which the justification is provided in the two terms of reference (selection tenders):

i) Notice No. 01/C05-i02/2022, Article 4, sub-paragraph 4 (requiring compliance with DNSH as well as with the relevant EU and national environmental legislation) and Annex II, sub-paragraphs i-iv (outlining the exclusion list);
ii) Notice No. 03/C05-i02/2022, Article 4 sub-paragraph 4 (requiring compliance with DNSH as well as with the relevant EU and national environmental legislation) and Annex IV, sub-paragraphs i-iv (outlining the exclusion list).

The DNSH requirements are included also in the 20 contracts concluded with Interface entities: in point 2 of Article 7, as well as in Annex V.

The notices referred to in points i) and ii) above also include (in their respective sub-paragraph 4 of Article 4) eligibility criteria that ensures that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.

Furthermore, in line with the description of the measure, **in order to ensure that the measure**

complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: i) activities related to fossil fuels, including downstream use; ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and iv) activities where the long-term disposal of waste may cause harm to the environment. The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.
The above-mentioned evidence justifies compliance with this requirement.

Furthermore, in line with the description of the measure, **the investment shall consist of consolidating the new financing model of the Technology Interface System Centres and Collaborative Laboratories (CoLAB)**.
Article 1 and Article 2 (point 4, "financing") of Notice No. 01/C05-i02/2022, Article 1 of Notice No. 03/C05-i02/2022, and Articles 19, 20 and 21 of Decree Law No. 126-B/2021 of 31 December, outline (i) the measure's objective of supporting (consolidating) the new financing model of the Interface entities and CoLABs; and (ii) the structure of the new financing model, which will be based on the best international practices and divided between public financing, competitive financing obtained from multilateral funds and market financing from the development of commercial services and projects (see Articles 20 and 21 of Decree Law No. 126-B/2021). The investment will support (consolidate) the new financing model, by providing part of the public financing (EUR 186 million) for the Technology Interface Centres and CoLAB.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 7.1	Related Measure: RE-C07-i00: Extension of the electric vehicle charging network		
Name of the Target: Publicly accessible electric vehicle recharging points			
Quantitative Indicator: Number	**Baseline:** 3520	**Target:** 5250	**Time:** Q4 2022

Context:
The objective of the investment is to increase and develop the charging network in Portugal, to support the use of cleaner vehicles. The investment aims at accompanying measures for road infrastructure investments planned within component 7, to ensure compliance with the "do no significant harm" principle.
Target 7.1 concerns the installation of 1 730 additional publicly accessible recharging stations to effectively build upon and expand the current network.
Target 7.1 is the first step of the implementation of the investment and it will be followed by targets 7.2 and 7.3, related to the objective of reaching 15 000 charging points. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.
ii) **Declaration by the Portuguese Electric Mobility Network Managing Entity (MOBI.E)** of 7 September 2023 certifying the integration of 7032 charging points for electric vehicles into the National Mobility and Electric Network by 31 August 2023.
iii) **List of publicly accessible recharging points** for electric vehicles provided by MOBI.E on 31 August 2023 with relevant information on the date of first charge.

The authorities also provided:

iv) **Link to the website of MOBI.E** that includes up-to-date information on the operational

charging points: https://www.mobie.pt/en/mobidata/data

v) **Tender n.º 11997/2020** issued by MOBI.E for the development of 12 ultra-fast charging stations, published in the Official Journal, *Diário da República*, on 23 October 2020

vi) **Tender 2021/S 137-365090** issued by MOBI.E for the development of the MOBI.E platform, published on 19 July 2021 on the website https://ted.europa.eu/udl?uri=TED:NOTICE:365090-2021:TEXT:PT:HTML

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Number of publicly accessible charging points for electric vehicles (compared to the Q4 2021 baseline).

The declaration provided by MOBI.E signed on 7 September 2023 explains that according to Article 21 of Decree Law No. 39/2010 of 26 April (published in the Official Journal, Diário da República No. 80/2010, first series of 26 April 2010, pages 1371-1386) MOBI.E is the legal entity responsible for operating the Portuguese network of charging stations for electric vehicles (first paragraph of the Declaration by MOBI.E, page 1). Articles 25 and 26 of Decree Law No. 39/2010 make it obligatory to integrate into MOBI.E's network any charging stations (public or private) that are installed in publicly accessible sites (second paragraph of the Declaration by MOBI.E, page 1). MOBI.E certified that on 31 August 2023 there were 7032 charging points integrated into its network (fourth paragraph of the Declaration by MOBI.E, page 1), an increase of 3512 compared to the baseline of Q4 2021 (3520). The qualitative indicator of the target requires 5250 charging points in operation.

The List of publicly accessible recharging points, accounting for the 7032 charging points provides the unique identifier of each charging station, its location and the date of its first charge. Each charging station can include more than one charging point.

This list is consistent with the information shown on the public website of MOBI.E which includes up-to-date information for consumers on the operational charging points (using the same unique identifier than the list). The website shows that there are currently (on 23 October 2023) 6877 publicly accessible charging points that are operational.

Furthermore, in line with the description of the measure, **the Portuguese State shall focus its investment on the Mobi.E network management platform…**

Tender 2021/S 137-365090, which was published on 19 July 2021 by Mobi.E, is for services and consulting for the development of the new MOBI.E network management platform (page 1 of tender 2021/S 137-365090). The duration of the contract was indicated as 36 months. This shows that investment in the network management platform accompanies the extension of the electric vehicle charging network.

Furthermore, in line with the description of the measure, [the Portuguese State shall focus] **on covering market failures by supporting investment in regions where the private sector does not ensure the necessary coverage.** Several actions have taken place to promote the installation of charging points in the MOBI.E network, addressing the needs in different parts of the country. In 2021 there were no ultrafast charging points in cities of the interior the country, showing that private investment was not taking place. A project for the installation of 12 ultra-fast charging stations was developed by MOBI.E (https://mobie.pt/w/certifica%C3%A7%C3%A3o-de-novo-posto-de-carregamento) and tender n.º 11997/2020 was launched to also give support to build ultra-fast charging stations in the interior of country where private investors are often not interested in investing: in Évora, Guarda, Portalegre, Santarém, Viana do Castelo, Vila Real, Beja, Bragança and Castelo Branco (page 2-3 of Tender n.º 11997/2020).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 7.7	Related Measure: RE-C07-i02: Missing links and increase of network capacity
Name of the Milestone: Contract signed for 2 road projects	
Qualitative Indicator: Contract signed with contractor	**Time:** Q3 2022

Context:

The objective of the investment is to foster territorial cohesion and competitiveness by improving the road network through the construction of roads or the upgrade of existing ones. The measure also aims at reducing congestion, addressing negative externalities like noise and pollution, and improving road safety.

Milestone 7.7 concerns the signature for two contracts for road projects, following a public tender procedure.

Milestone 7.7 is the second milestone of the investment, and it follows the completion of milestone 7.6 related to the signature for one road contract. It will be followed by target 7.8 which requires 111 km of road built or rehabilitated according to technical specifications of the tender and fully incorporating any result and condition from the Environmental Impact Assessment. The investment has a final expected date for implementation in Q4 2025.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.

ii) Documentation related to the road project IC35 - Penafiel/RANS:
   a) **Contract of the IC35 - Penafiel/RANS road project**, contract No. 5010025222/DEM/2021 of October 2021, signed between *Infraestruturas de Portugal, S.A.* and *Restradas - Revitalização de Estradas do Norte*
   b) **Link to the portal containing the contract:** https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=8231401
   c) **Tender specifications general clauses IC35 - Penafiel/RANS** of 21 August 2009
   d) **Tender specifications special clauses IC35 - Penafiel/RANS** of July 2015 (no date specified)
   e) **Environmental Compliance Decision** (*Decisão sobre a Conformidade Ambiental do Projeto de Execução, DCAPE*) for the implementation project issued by the Portuguese Environment Agency (*Agência Portuguesa do Ambiente, APA*) on 15 July 2015 and reconfirmed on 9 August 2022, attesting to the conformity of the project IC35 - Penafiel/RANS with the findings of the environmental impact assessment (EIA) carried out.

iii) Documentation related to the road project EN344 - Pampilhosa da Serra:
   a) **Contract of the EN344 - Pampilhosa da Serra road project**, contract No. 9544886 of 10 November 2022 signed between *Infraestruturas de Portugal, S.A.* and *Construções J.J.R. & Filhos, S.A.*
   b) **Link to the portal containing the contract**: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9544886
   c) **Tender specifications general clauses EN344 - Pampilhosa da Serra** of 4 May 2022
   d) **Tender specifications special clauses EN344 - Pampilhosa da Serra** of 4 May 2022
   e) **Verification of the applicability of the EIA legal regime** issued by the APA on 10 August 2022, stating that the project is not subject to an Environmental Impact Assessment (EIA) pursuant to Directive 2011/92/EU.

The authorities also provided:

iv) **Contracting Report of the road project IC35 - Penafiel/RANS**, report No. 9589883, from 5 November 2021

v) **Contracting Report of the road project EN344 - Pampilhosa da Serra**, report No. 11437494, from 10 November 2021

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Signature by the parties of the document governing their obligations in relation to the execution of the works [for two contracts] …

Regarding road project IC35 - Penafiel/RANS, the contract was signed on 29 October 2021 (Contract of the IC35 - Penafiel/RANS road project). The contractual counterparties to Contract of the IC35 - Penafiel/RANS road project are the contracting authority, *Infraestruturas de Portugal, S.A.* and the successful tenderer, *Restradas - Revitalização de Estradas do Norte* (page 1 of the contract). The purpose of the contract is the execution of the road project IC35 – Penafiel/RANS by *Restradas – Revitalização de Estradas do Norte* (article 1 of Contract of the IC35 – Penafiel/RANS road project). The contract provides a timeline for the completion of the contract as 450 days of the date of the signature (article 2 of Contract of the IC35 – Penafiel/RANS road project) and the value of the contract (article 3 of Contract of the IC35 –Penafiel/RANS road project).

The second contract was signed for the road project EN344 – Pampilhosa da Serra on 10 November 2022 (Contract of the EN344 – Pampilhosa da Serra road project). The contractual counterparties to Contract of the EN344 – Pampilhosa da Serra road project were the contracting authority, *Infraestruturas de Portugal, S.A*. and the successful tenderer, *Construções J.J.R. & Filhos, S.A* (page 1 of the contract). The purpose of the contract is the execution of the road project EN344 - Pampilhosa da Serra by *Construções J.J.R. & Filhos, S.A.* (article 1 of Contract of the EN344 - Pampilhosa da Serra road project), the deadline for completion of work of 420 days of the date of signature (article 2 of Contract of the EN344 - Pampilhosa da Serra road project), and the value of the contract (article 3 of Contract of the EN344 - Pampilhosa da Serra road project).

…following a public tender procedure

The Portuguese authorities provided the tender specifications general clauses as well as the tender specifications special clauses for both road projects.

As for project IC35 - Penafiel/RANS the tender was opened on 26 November 2015 and the award was approved on 25 July 2019 by decision of the Executive Board (eighth clause article 2 of Contract of the IC35 – Penafiel/RANS road project). The subject of the awarded contract and a general description of the planned intervention to be carried out is set out in the tender specifications general clauses (point 2.1 and point 5 of Tender specifications general clauses IC35 - Penafiel/RANS**)** and tender specifications special clauses (points 13.1 to 13.4 of Tender specifications special clauses IC35 - Penafiel/RANS). The tender specifications special clauses for IC35 - Penafiel/RANS lay out the specifications of the project including the price available (point 13.2 of Tender specifications special clauses IC35 - Penafiel/RANS) and the timeline for the completion of the contract of 450 days of the date of the signature (point 13.3 of Tender specifications special clauses IC35 - Penafiel/RANS).

As for project EN344 – Pampilhosa da Serra the tender was opened on 5 July 2022 and the award was approved on 29 September 2022 by decision of the Executive Board (eighth clause article 2 of Contract of the EN344 – Pampilhosa da Serra road project). The general description regarding road project EN344 - Pampilhosa da Serra is provided in the tender specifications general clauses (point 1 of Tender specifications general clauses EN344 - Pampilhosa da Serra). The tender specifications special clauses for EN344 - Pampilhosa da Serra provide the specifications of the project including the price available (point 13.2 of Tender specifications special clauses EN344 - Pampilhosa da Serra) and the timeline for the completion of the contract of 450 days of the date of the signature (point 13.3 of Tender specifications special clauses EN344 - Pampilhosa da Serra).

Furthermore, in line with the description of the measure, **any road project potentially likely to have significant negative effects on the environment shall be subject to an Environmental Impact**

Assessment (EIA) pursuant to Directive 2011/92/EU, to ensure compliance with the DNSH principle is integrated into the project and strictly complied with at the stages of construction, operation and decommissioning of the infrastructure.

The road project IC35 - Penafiel/RANS has been subject to an EIA pursuant to Directive 2011/92/EU. An EIA has been carried out, which was followed by the incorporation of required mitigating measures to the execution project and then the Portuguese Environmental Agency issued an Environmental Compliance Decision on first 15 July 2015 (page 37 of Environmental Compliance Decision, DCAPE) and then reconfirmed the compliance of the project with the environmental impact assessment on 9 August 2022 (page 1 of Environmental Compliance Decision). Environmental compliance decisions are the last step before issuing the license for construction and are the end of the process that starts with the EIA and is the followed by the update of the execution project. The Environmental Compliance Decision shows that the conditions of the EIA are integrated into the project at the stages of construction, operation and decommissioning of the infrastructure.

The road project EN344 - Pampilhosa da Serra was legally not subject to an EIA, according to the Portuguese legislation transposing the EIA Directive (pages 1-2 of Verification of the applicability of the EIA legal regime) because of its specific features, i.e., it is shorter than 10 km and the work is carried out on an already existing road platform and therefore is not expected to have significant negative effects on the environment (page 2 of Verification of the applicability of the EIA legal regime). Thus, environmental measures were adopted to minimize the environmental impacts of the project and an environmental monitoring was also put in place.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 8.18	Related Measure: RE-C08-r20: Reorganisation of the Land Property Registry System and Land Cover Monitoring System
Name of the Milestone: Land Cover Monitoring System (SMOS)	
Qualitative Indicator: Entry into operation of the Land Cover Monitoring System (SMOS)	**Time:** Q4 2022

Context:

The objective of the reform is to improve the land registry system, in particular to enable the identification and verification of land ownership boundaries and their registration. The reform also sets up the legal framework for the operationalisation of investment RE-C08-i02: Rural property registry and Land Cover Monitoring System.

This milestone requires the entry into operation of the Land Cover Monitoring System (*hereinafter referred to as SMOS*), which includes Light Detection and Ranging (*hereinafter referred to as LiDAR*) coverage, the digital terrain model, crops and vegetation model, crops and vegetation maps, land cover maps and satellite image coverage.

Milestone 8.18 is the only milestone or target of this reform.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all constitutive elements) was satisfactorily fulfilled

ii) **Order No. 291/2023** of 6 January (published in Portugal's Official Journal, *Diário da República* No. 5/2023, second series of 6 January 2023, pages 150-152), which establishes the entry into operation of the Land Cover Monitoring System (SMOS) as of 29 September 2022. (https://dre.pt/dre/detalhe/despacho/291-2023-205810156)

The authorities also provided:

iii) **Council of Ministers Resolution No. 45/2020** of 16 June (published in Portugal's Official Journal, *Diário da República* 115/2020, first series of 16 June 2020, pages 14-18) establishing

the Mission Structure for the Expansion of the Simplified Cadastral Information System; (https://dre.pt/dre/detalhe/resolucao-conselho-ministros/45-2020-135844796)

iv) **Council of Ministers Resolution No. 2/2023** of 13 January (published in Portugal's Official Journal, *Diário da República* 10/2023, first series of 13 January 2023, pages 3-9), extending the mandate of the Mission Structure for the Expansion of the Simplified Cadastral Information System; (https://dre.pt/dre/detalhe/resolucao-conselho-ministros/2-2023-206037169)

v) **Government Order No. 68/2022** of 2 February (published in Portugal's Official Journal, *Diário da República* No. 23/2022, first series of 2 February 2022, pages 6-9), laying down the arrangements for the operation and financing of the model for the organisation and development of the scheme established by Law No. 78/2017 of 17 August 2017 with the specific features set out in Law No. 65/2019 of 23 August (https://dre.pt/dre/detalhe/portaria/68-2022-178532523)

vi) **Decree Law No. 72/2023** of 23 August (published in Portugal's Official Journal, *Diário da República* 163/2023, first series of 23 August 2023, pages 2-45), approving the legal framework for the Land Cadastre and establishing the National Cadastral Information System and the Cadastral Charter (https://diariodarepublica.pt/dr/detalhe/decreto-lei/72-2023-220219335)

vii) **Regulatory Decree No. 3/2023 of 11 October** (published in Portugal's Official Journal, *Diário da República* 197/2023, first series of 11 October 2020, pages 95-129) regulating the legal framework for the simplified cadastral information system and the BUPI platform (https://files.diariodarepublica.pt/1s/2023/10/19700/0009500129.pdf)

viii) **Decree Law No. 90/2023 of 11 October** (published in Portugal's Official Journal, *Diário da República* 197/2023, first series of 11 October 2023, pages 31-77) amending the legal framework for the simplified cadastral information system and the BUPi platform (https://files.diariodarepublica.pt/1s/2023/10/19700/0003100077.pdf)

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Entry into operation of the Land Cover Monitoring System (SMOS)

Paragraph 1 of Order No. 291/2023 states the entry into operation of the SMOS as 29 September 2022 and that this is the date the system was to become available online.

Paragraph 3 of Order No. 291/2023 sets out the system as a technological platform called SMOS Portal for the publication, access, visualization and download of the basic and thematic cartographic products (explained below).

Encompassing LiDAR Coverage, the digital terrain model, crops and vegetation model, crops and vegetation maps, of Land Cover maps and Satellite Image Coverage.

Paragraph 2 of Order No. 291/2023 lists the types of cartographic products covered under the SMOS. Part (a) covers basic mapping which includes digital terrain models and satellite images. It is stated that LiDAR coverage is to be used as support data for this type of mapping. Part (b) refers to land cover and occupation maps. Part (c) covers specific cartographic products which include Intra-Annual Maps of the State of Vegetation (MIAEV), the Annual Maps of Temporary Agricultural Crops (MACAT) covering the crops and vegetation maps referred to in milestone description, with MACAT being the result of the application of the crop and vegetation models also referred to in the milestone description.

Furthermore, in line with the description of the measure, **the reform shall allow for a coherent, up-to-date and holistic view of the territory that shall enhance the value of land for its owners and allow the State to develop concrete, sustainable and multisectoral public policies.**

This is achieved through a combination of the legal acts listed below which enable a multifunctional land registry, by improving the procedures for identifying, verifying and registering land and ensuring

the interoperability of the required data.
For example, Decree Law No. 72/2023 approves the legal regime of the land registry and establishes the National Cadastral Information System and the cadastral map with a view to streamlining and modernising the relevant procedures. The land registry enables the geographical and georeferenced representation of the properties within the national territory, showing how the land is divided into properties, their location, geometric configuration and boundaries. Therefore, this helps to provide a more complete view of the territory underpinned by up-to-date information.
Access to maps and data through the SMOS platform allows for a more accurate and detailed overview of the territory. This better overview in turn allows for the development of more efficient public policy. Members of the public can also access the platform and access to maps may help landowners to better understand the value of their land or the potential value of land they may invest in, for example, by consulting the map of use and occupation, or the annual map of agricultural crops.
Furthermore, in line with the description of the measure**, the reform shall consist of the development of the BUPi (Digital Land Registry) platform, a physical and virtual counter with geo-referenced information on properties, that shall aggregate the information necessary for their registration and shall facilitate citizens' interaction with the public administration within the scope of the land register.**
BUPi was established as a pilot project through Law No. 78/2017 and then as a national platform through Law No. 65/2019.
A number of steps have been taken to develop it further. For example, Decree Law No. 72/2023 contributes to BUPi's development through establishing BUPi as the interface between citizens and the Directorate-General of the territory and ensuring the integration and information and the interoperability of data between the public authorities, therefore simplifying citizens interactions with public authorities in question. Council of Ministers Resolution No. 45/2020 gives the Mission Structure for the expansion of the Simplified Cadastral Information System the responsibility of ensuring the development of the information and interoperability systems to support BUPi. Regulatory Decree No. 3/2023 and Decree Law No. 90/2023 also add to its development through amendments to Law No. 78/2017 and Law No. 65/2019 which adjust and streamline relevant procedures related to BUPi. Government Order No. 68/2022 contributed to the development of BUPi through its revision of the legal framework of the Simplified Cadastral Information System, specifically Articles 2 to 5, which were essential for the coordination and financing of data sharing solutions between the entities providing information on BUPi.
Furthermore, in line with the description of the measure**, the reform also sets up the necessary legal framework to operationalise Investment RE-C08-i02: Rural property registry and Land Cover Monitoring System.** This operationalisation includes the production of reference mapping referred to under Paragraph 2 of Order No. 291/2023 mentioned above, as well as measures to ensure the interoperability of systems to support BUPi.
Furthermore, in line with the description of the measure**, the reform shall include:**
- the adoption of a law setting up the Mission Structure for the expansion of the Simplified Cadastral Information System, a public entity that shall monitor the expansion of the simplified national cadastral information system and the development of the BUPi platform;
The Council of Ministers Resolution No. 45/2020 establishes the Mission Structure for the Expansion of the simplified cadastral information system. According to paragraph 1, the Mission Structure falls under the responsibility of the members of government responsible for justice and the environment, therefore making it a public entity in line with the measure description. Paragraph 2 states that the Mission Structure is responsible for the expansion of the simplified cadastral information system provided for in Law No. 65/2019 and the development of information and interoperability systems supporting the BUPi platform, including the creation of data repositories and the registration of cadastral information to be shared through the mechanisms set up to make it interoperable.
Council of Ministers Resolution No. 45/2020 was published on 16 June 2020 and took effect the

following day as per paragraph 26. Council of Ministers Resolution No. 2/2023 amends Council of Ministers Resolution No. 45/2020 according to paragraph 1. Paragraph 27 of Council of Ministers Resolution No. 2/2023 extends the mandate of the Mission structure until 31 December 2025, as the original mandate was due to expire on 31 December 2023. Council of Ministers Resolution No. 2/2023 was published on 13 January 2023 and took effect the following day as per paragraph 3.

- the adoption of an act setting up the system for the operation and financing of the model for the organisation and development of the simplified cadastral information system;

Government Order No. 68/2022 was published on 2 February 2022 and entered into force the following day as per its Article 7.

Article 1 of Government Order No. 68/2022 establishes the system for the operation and financing of the model for the organisation and development of the simplified cadastral information system. Article 2(1) determines the operational elements of the simplified cadastral system by stating that the 'powers of coordination, decision and support' are exercised by the Mission Structure of the simplified cadastral information system.

As per Article 6, the Mission structure is supported through the state budget, transfers of own revenue and funds from national and European financial instruments. The Technical Coordination Centres are supported through EU funding. The Local Competence Units funded by the municipalities to which they belong or by inter-municipal entities, using national or European financing instruments made available for this purpose.

- the adoption of a law approving the Legal Regime for the land register, establishing the National System of Cadastral Information System, articulated with the Simplified Cadastral Information System and enshrining the Cadastral Charter as the national map of land under land registry;

Article 1 of Decree Law No. 72/2023 approves the legal arrangements for the land register and establishes the National Cadastral Information System and the Cadastral Charter as a single and universal register of land under the land register. The Cadastral Charter is defined as national map register of land registered properties under article 3(e).

Articles 7 to 10 set up the National Cadastral Information System, including scope and structure (Article 7) and its function (Article 8).

Articles 11 to 16, 78 and 79 allow agricultural land located in the municipalities to be converted into a land register under a system of geometric land registration, bringing together all registered land in the Cadastral Charter into a single register. Article 51 establishes a procedure for the integration of simplified cadastral information into the cadastral charter automatically, that is, geo-referenced graphical representations (RGG) which are accepted by neighbouring landowners, or which do not record boundary disputes with adjacent buildings. This information is then registered, and the corresponding properties are integrated into the cadastral charter.

This Decree Law was published on 23 August 2023 and entered into force 90 days following publication as per Article 90 on 21 November 2023.

- the adoption of a legal act amending Regulatory Decree No. 9-A/2017 of 3 November that clarifies the operations of the Simplified Cadastral Information System and the BUPi platform, adopting measures for the immediate identification of land structure and ownership of agricultural and mixed land;

Article 1 of Regulatory Decree No. 3/2023 refers to the amendment to Regulatory Decree No. 9-A/2017 which regulates the legal framework of the simplified cadastral information system and BUPi platform, adopting measures for the immediate identification of the land structure and ownership of agricultural and mixed land. Article 2 sets out the amendments to Regulatory Decree No. 9-A/2017 to harmonise and adapt the procedures in the legislation which contribute to the immediate identification of land structure and ownership of agricultural and mixed land. This also contributes to the operationalisation of Investment RE-C08-i02: Rural property registry and Land Cover Monitoring System.

These amendments including the following additions or changes to Regulatory Decree No. 9-A/2017:

- The public domain regime (as per Article 4-A)

- The regulation of the technical specifications of the automatic adjustment of extremes and comparisons and the structure of attributes of the RGG (as per Article 7)
- Definition of the terms for carrying out unofficial promotion of the RGG (as per Article 12)
- The conditions for rectifying the geometry and cancelling the RGG (As per Article 13a)
- Regulation of the administrative conciliation procedure (as per Article 16)
- The consolidation of the special justification procedure (as per 17a, 18, 19a to 19f)
- Update of BUPi content and functionalities (as per Article 21)

This Regulatory Decree was published on 11 October 2023 and will enter into force on 2 November 2023 as per Article 10.

- and the drafting of a proposal for a law establishing an extraordinary system for the registration of rural land and amending the Land Registry Code (CRP).

Following the proposal for a law required by the Council Implementing Decision, Article 1 of Decree Law No. 90/2023 states the objective of the Decree Law as a revision of the legal framework for the simplified cadastral information system and the BUPi platform, providing for the creation of new procedures, extending the extraordinary system for the registration of rural land and amending the Land Registry Code (CRP). This is an 'extraordinary' system as it involves a special procedure for the registration of all agricultural and mixed land for a specific period of time.

The special procedure is established through the addition of articles to Law No. 78/2017 and Law No. 65/2019 (both republished in full in annexes II and III respectively) via Decree Law No. 90/2023. These include:

- Article 1 of Law No. 78/2017 – special procedure for the registration of all agricultural and mixed land
- Article 8a of Law No. 78/2017 – a new document verification procedure
- Article 1 of Law No. 65/2019 – the inclusion of a special procedure for agricultural and mixed land within the simplified cadastral information system as well as extending the special justification procedure to land already included in the Land Registry Code but where the ownership is outdated and where it would be the first update after the RGG is done.

Article 2 of Decree Law No. 90/2023 amends the Land Registry Code through changes to articles 8-A and 8-B. Paragraph (d) is added to article 8-A making it mandatory to 'register vacant land and real estate in the public domain'. Two paragraphs are added to article 8-B obliging the following to register land:

d) The board of directors in relation to common lands when they are organised in this way in accordance with the provisions of Law No. 75/2017

e) The Directorate-General for Treasury and Finance and the competent bodies of the Autonomous Regions and local authorities, with regard to real estate in the public domain.

Article 2 of Decree Law No. 90/2023 further amends the Land Registry Code through the addition of the following articles:

- Article 3-A – specifies that common land and publicly owned real estate are identified through opening of the respective description.
- Articles 33a to 33e – set out the process for the description.

This Decree Law was published on 11 October 2023 and entered into force the following day as per Article 18.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 12.6	Related Measure: TC-C12-r25: Sustainable Bioeconomy
Name of the Milestone: Entry into force of the revised National Strategy for Green Public Procurement	
Qualitative Indicator: Entry into force of the revised National Strategy for Green Public Procurement	**Time:** Q3 2022
Context:	

The objective of the reform is to promote and incentivise the conservation and efficient use of biological resources. The reform consists of the entry into force of a new General Waste Management System and the inclusion of criteria for the purchasing of sustainable bio-based products in the review of the National Strategy for Green Public Procurement. This reform aims to address the main obstacles and constraints identified in the valorisation of biological resources for the development of sustainable and circular bio-industry, respecting the cascading principle.
Milestone 12.6 concerns the entry into force of the revised National Strategy for Green Public Procurement that specifies ecological criteria related to the procurement of services and products integrating sustainable bio-based materials, including through the introduction of mandatory ecological criteria.
Milestone 12.6 is the second and last milestone of the reform and it follows the completion of milestone 12.5 related to the entry into force of the New General Waste Management Regime, simplifying the administrative process and reducing the costs associated with the use of by-products.

Evidence provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled
ii) **Resolution of the Council of Ministers No. 132/2023** of 25 October (published in Portugal's Official Journal, *Diário da República* No. 207/2023, first series of 25 October 2023, pages 26-41) which operationalises the National Strategy for Green Public Procurement 2030 – ECO360 by setting out ecological criteria (Resolução do Conselho de Ministros n.º 132/2023 | DR (diariodarepublica.pt))
iii) **Resolution of the Council of Ministers No. 13/2023** of 10 February (published in Portugal's Official Journal, *Diário da República* No. 30/2023, first series of 10 February 2023, pages 193 – 224) which approves the revised National Strategy for Green Public Procurement 2030 – ECO360 (Resolução do Conselho de Ministros n.º 13/2023 | DR (diariodarepublica.pt))

The authorities also provided:

iv) **New Green Tax Reform Resources and Pollution - Final Inception Report** by Trinomics in association with NOVA School of Science & NOVA School of Business & Economics of 23 November 2021
v) **New Green Tax Reform Resources and Pollution - Action plan and report** on policy recommendations by Trinomics in association with NOVA School of Science & NOVA School of Business & Economics for a new green tax reform of 24 January 2023

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.
Entry into force of the revised National Strategy for Green Public Procurement…
The National Strategy for Green Public Procurement was revised and approved by the Council of Ministers, as established in the Resolution of the Council of Ministers No. 13/2023. According to paragraph 11 (page 3), the revised National Strategy for Green Public Procurement entered into force on the day following its publication. The Resolution of the Council of Ministers No. 132/2023 operationalises further the actions and is therefore a relevant part of this Strategy. According to its paragraph 9, Resolution of the Council of Ministers No. 132/2023 entered into force on the day following its publication.
… that specifies ecological criteria related to the procurement of services and products…
The Resolution of the Council of Ministers No. 132/2023 specifies ecological criteria in its Annex Part A and Part B. These criteria apply to the procurement of services and products (page 1). These criteria

are defined as either mandatory, recommended, voluntary, or possible criteria as per category of procurement, in order to address obstacles and constraints to integrate sustainable bio-based products into public procurement procedures.

…integrating sustainable bio-based products…

The Resolution of the Council of Ministers No. 132/2023 specifies general ecological criteria in Annex Part A and specific ecological criteria in Annex Part B.

As for bio-based products, for instance for furniture purchase contracts, it is mandatory for the wood to be obtained from forests with sustainable management certification, such as PEFC (Programme for the Endorsement of Forest Certification) and FSC (Forest Stewardship Council) or EU Ecolabel. Moreover, for the purposes of tendering procedures, the tenderer must demonstrate compliance for the products submitted (section 7 of Resolution of the Council of Ministers No. 132/2023).

… including through the introduction of mandatory ecological criteria.

The Resolution of the Council of Ministers No. 132/2023 introduced mandatory ecological criteria in its Annex Part A and Part B. For example, for public procurement, using reused or recycled materials and the integration of nature-based systems such as 'green roofs' or 'living roofs' mandatorily needs to be taken into account when selecting the winners of a tender. Similarly, in the technical specifications of public tenders the use of construction materials with the lowest possible environmental impact throughout their life cycle is mandatory (section 16 Annex Part B of the Resolution of the Council of Ministers No. 132/2023).

The Resolution of the Council of Ministers No. 132/2023 also established mandatory ecological criteria for procurement contracts for wood and cork and public works contracts using wood and cork (section 2 of Resolution of the Council of Ministers No. 132/2023), contracts for the purchase of outsourcing copying and printing services and purchase of copying and printing equipment (section 13 of Resolution of the Council of Ministers No. 132/2023), and food purchase contracts, catering and vending services (section 15 of Resolution of the Council of Ministers No. 132/2023).

Furthermore, in line with the description of the measure, [the National Strategy for Green Public Procurement shall be revised to include at least mandatory ecological criteria related to the procurement of services and products] **(notably in the area of construction).**

As for the area of construction, the Resolution of the Council of Ministers No. 132/2023 addressed for instance contracts for the purchase of energy certification services, energy audit and design and for the purchase and installation of self-consumption photovoltaic system. Here, accountability for waste management is mandatory, including developing an Environmental Management Plan for the prevention and management of construction and demolition waste (section 4 Annex Part B of the Resolution of the Council of Ministers No. 132/2023). Moreover, for public work contracts, the use of construction materials with as little environmental impact as possible throughout their life cycle are mandatory (section 16 Annex Part B of the Resolution of the Council of Ministers No. 132/2023). Also, the Resolution of the Council of Ministers No. 132/2023 requires mandatory general specifications for public work contracts for the construction or rehabilitation of green spaces, energy self-sufficiency and the environment, in particular criteria to maximise energy self-sufficiency and minimising energy consumption by applying energy efficiency criteria to lighting and other electrical systems, for instance LED lighting systems, adjustment systems and other similar measures (section 16 of Resolution of the Council of Ministers No. 132/2023).

Furthermore, in line with the description of the measure, **Portugal shall also assess fiscal incentives that could enhance the substitution of non-renewable natural resources with other bio-based resources.**

Fiscal incentives were analysed, and the results were set out in the New Green Tax Reform Resources and Pollution - Action plan and report. The primary aim of the project was to develop recommendations for a new green tax reform and an action plan and roadmap to strategically approach its implementation (page 19 of the New Green Tax Reform Resources and Pollution - Final Inception Report). Among the potential taxes analysed, the potential tax on plastic packaging was

analysed with a view to enhancing substitution of no-renewable natural resource with other bio-based resources (page 146 of New Green Tax Reform Resources and Pollution - Action plan and report).
Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 15.12	Related Measure: TC-C15-i05: Decarbonisation of public transport
Name of the Milestone: Contract signed for the purchase of clean buses under the Public Transport Decarbonisation Programme	
Qualitative Indicator: Contract signed for the purchase of 145 clean buses under the Public Transport Decarbonisation Programme	**Time:** Q3 2022

Context:

The objective of the investment is to renew and decarbonise the public transport fleet in Portugal through the provision of zero emission buses. The investment consists of financial support to the purchase of 145 zero emission (electric or hydrogen) buses for public transport and charging infrastructure for their operation. The buses will provide public passenger transport services under public service contracts in the Lisbon and Porto Metropolitan Areas.

Milestone 15.12 requires the signature of contracts for the purchase of 145 clean buses used for public transport in Lisbon and Porto Metropolitan Areas under the Public Transport Decarbonisation Programme. Milestone 15.12 is the first step of the implementation of the investment, and it will be followed by target 15.13, related to the consequent purchase of new zero emission buses used for public transport in Lisbon and Porto Metropolitan Areas. The investment has a final expected date for implementation in Q4 2023.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all constitutive elements) was satisfactorily fulfilled.

ii) **Terms of acceptance** for the acquisition of buses and charging stations

- a) Signed **terms of acceptance of 22 September 2022** between the managing public authority (Fundo Ambiental) and the Vimeca Transportes Viação Mecânica de Carnaxide, Lda., selected in a tender process **for the acquisition of 28 buses and construction of 14 charging stations**.
- b) Signed **terms of acceptance of 22 September 2022** between the managing public authority (Fundo Ambiental) and Companhia Carris de Ferro de Lisboa, E.M., S.A., selected in a tender process **for the acquisition of 33 buses and construction of 13 charging stations**.
- c) Signed **terms of acceptance of 13 September 2022** between the managing public authority (Fundo Ambiental) and JJ Santo António - Transportes Rodoviários de Passageiros, Unipessoal, Lda., selected in a tender process **for the acquisition of 40 buses and construction of 21 charging stations**.
- d) Signed **terms of acceptance of 22 September 2022** between the managing public authority (Fundo Ambiental) and Alsa Todi Metropolitano de Lisboa, Lda., selected in a tender process **for the acquisition of 44 buses and construction of 22 charging stations**.
- e) Signed **terms of acceptance of 14 September 2022** between the managing public authority (Fundo Ambiental) and Scotturb – Transportes Urbanos, Lda., selected in a tender process **for the acquisition of 20 buses and construction of 10 charging stations.**
- f) Signed **terms of acceptance of 22 September 2022** between the managing public

authority (Fundo Ambiental) and Auto Viação Feirense, Lda., selected in a tender process **for the acquisition of 44 buses and construction of 8 charging stations**.

g) Signed **terms of acceptance of 22 September 2022** between the managing public authority (Fundo Ambiental) and Sociedades de Transported Coletivos do Porto, E.I.M, S.A., selected in a tender process **for the acquisition of 48 buses and construction of 24 charging stations**.

The authorities also provided:

iii) **Tender notice No. 01/C15-i05/2021**, published on 03 December 2021 in the platform of the managing public authority (*Fundo Ambiental*), which may be accessed at https://www.fundoambiental.pt/ficheiros/anexo-iii-ficheiro-de-diagnostico-da-operacao-xlsx.aspx, and in the platform of *Recuperar Portugal*, available at https://recuperarportugal.gov.pt/candidatura/apoio-a-aquisicao-de-veiculos-limpos-para-o-transporte-coletivo-de-passageiros-mediante-procedimento-de-concurso-competitivo/;

iv) **Final Report** provided by the managing public authority (Fundo Ambiental) on 05 August 2022 on the analysis, selection and decision concerning the tender by *Fundo Ambiental*, indicating the results of the public tender.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Signature of contract between the beneficiaries and the managing body […] giving a commitment to purchase the new zero emission (electric or hydrogen) buses.

The terms of acceptance, giving commitment to purchase the new zero emission (electric or hydrogen) buses were signed between Fundo Ambiental (managing body) and the beneficiaries (Alsa Todi Metropolitana de Lisboa, Lda., Auto Viação Feirense, Lda., Companhia Carris de Ferro de Lisboa E.M, S.A., Scotturb – Transportes Urbanos, Lda., JJ Santo António-Transporte Rodoviário Passageiros Unipessoal, Lda., Vimeca Transportes - Viação Mecanica de Carnaxide, Lda. and Sociedade de Transportes Colectivos do Porto, E.I.M., S.A.). The terms of acceptance concern the financial support and the commitment to purchase new zero emission (electric or hydrogen) buses and to construct the charging infrastructure for their operation (as per Clause 1 of each of the terms of acceptance and per Annex 'Investment Fiche' of each of the terms of acceptance, describing the specifics of the projects financed). The total number of buses committed to be purchased is 257 (out of which 250 electric buses and seven hydrogen-fuelled buses) with the number to be purchased by each beneficiary stated in point A of clause 4 in their respective signed terms of acceptance.

In this respect, the terms of acceptance ('Termo de Aceitação') are 'standard contractual clauses' which take the form of a 'contract of adhesion' (which is, contracts where one of the Parties has limited to no negotiating power) in the Portuguese legal system.

…based on a competitive tender procedure…

The beneficiary was selected through a competitive public tender process that started on 3 December 2021 and ended on 31 January 2022, as set out in the tender notice No. 01/C15-i05/2021. The tender notice was made publicly available both at national and international level through publication on the websites of both Fundo Ambiental and of Recuperar Portugal (https://www.fundoambiental.pt/ficheiros/anexo-iii-ficheiro-de-diagnostico-da-operacao-xlsx.aspx and https://recuperarportugal.gov.pt/candidatura/apoio-a-aquisicao-de-veiculos-limpos-para-o-transporte-coletivo-de-passageiros-mediante-procedimento-de-concurso-competitivo/, respectively). The final report (pages 3-5) shows the results of the public tender and explains how the eligibility criteria was applied in accordance with Point 14 of the tender notice. This resulted in the selection of the abovementioned seven beneficiaries out of a total of 18 applications to the tender.

Contract signed for the purchase of 145 clean buses under the Public Transport Decarbonisation

Programme
The total number of buses committed to be purchased is 257 (out of which 250 electric buses and seven hydrogen-fuelled buses) with the number to be purchased by each beneficiary stated in point A of clause 4 in their respective signed terms of acceptance. This exceeds the 145 buses required under the qualitative indicator.

Furthermore, in line with the description of the measure, **the investment shall consist of financial support to the purchase of 145 zero emission (electric or hydrogen) buses for public transport and charging infrastructure for their operation.**
Point A of clause 4 of each terms of acceptance states how many buses are to be acquired by each beneficiary. This adds up to a total of 257 buses, therefore exceeding the 145-vehicle target of the measure description. The buses will be purchased for their use in public transportation as mentioned in the title of the terms of acceptance, but also stated in abovementioned clause 4 of each term of acceptance. Clause 2 of the signed terms of acceptance obliges the beneficiary to provide charging stations, while point b of clause 4 of each term of acceptance indicates how many refuelling or recharging stations each beneficiary is to provide. These add up to a total of 112 stations.
Furthermore, in line with the description of the measure, **the support shall be provided in the form of a non-reimbursable grant of the difference between the purchase costs of a zero emission (electric or hydrogen) bus and a diesel equivalent vehicle (EURO VI).**
According to tender notice No. 01/C15-i05/2021, point 6, financial support will be provided through non-reimbursable grants in line with Regulation (EU) 2021/241 with a total allocation of EUR 48 million resulting in a maximum amount per electric-fuelled bus of EUR 270 000 and EUR 470 000 per hydrogen-fuelled buses. In point 10 of the tender notice No. 01/C15-i05/2021, it is stated that the support will be provided in the form of a non-reimbursable grant of the difference between the purchase costs of a zero emission (electric or hydrogen) bus and a diesel equivalent vehicle (EURO VI). In point 10 and 12 the tender notice No. 01/C15-i05/2021outlines the eligibility criteria and documentation required to demonstrate the estimated cost of purchasing a zero-emission bus and its equivalent EURO VI compliant bus.
Furthermore, in line with the description of the measure, **the buses shall be used for the provision of public passenger transport services under public service contracts in the Lisbon and Porto Metropolitan Areas.**
The use of the buses for the provision of public passenger transport in the Lisbon and Porto Metropolitan areas is outlined in tender notice No. 01/C15-i05/2021. Point 2 of tender notice No. 01/C15-i05/2021 establishes the beneficiaries as municipalities, metropolitical areas and public transport operators as defined under the Portuguese Public Passenger Transport Service (Law No. 52/2015 of 9 June, as amended) as those providing municipal or intermunicipal public transport. Point 3 of tender notice No. 01/C15-i05/2021 defines operations exclusively providing public passenger transport services under the management of a transport authority within the Metropolitan Areas of Lisbon (NUTS 3, PT 17) or Porto (NUTS 3, PT11A) as eligible. In addition, the signed terms of acceptance refer to the buses to be acquired for the provision of public transport, as mentioned in the clause 4 of the terms of acceptance.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 16.7	Related Measure: TD-C16-i02: Digital Transition of Enterprises		
Name of the Target: Test Beds selected for the National Test Beds Network			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 30	**Time:** Q3 2022

Context:
The objective of the investment is to boost the digitalisation of business, to foster new business models and improve existing ones, increasing the competitiveness and resilience of the Portuguese economy. To this end, the investment includes four measures: a) “National Test Beds Network”, b) “Digital Commerce”, c) “Support to the digital transition of the business models”, and d)

"Entrepreneurship". The sub-measure "National Test Beds Network" aims at creating a national Test Beds network providing the infrastructure needed for businesses, in particular small and medium-sized enterprises, to develop and test new products and services and to accelerate their digital transition, either via physical equipment and infrastructure, testing equipment or digital simulators. Target 16.7 concerns the selection of 30 Test Beds to be installed with the necessary equipment to enable development and testing of pilot products in the National Test Beds Network.
Target 16.7 is the first step of the implementation of the sub-measure "National Test Beds Network", and it will be followed by targets 16.6 and 16.8, related to pilot products developed through the National Test Beds Network.
The sub-measure and the overall investment have a final expected date for implementation in Q3 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the relevant elements of target, as listed in the description of the target) was satisfied.
ii) **Decision of Approval**, **issued by IAPMEI on 17 February 2023**, approving the report on the proposal for a decision on the National Test Beds Network following Notices No. 03/C16-Í02/2022, No. 07/C16-Í02/2022 and No. 09/C16-102/2022
iii) **Decision of Approval**, **issued by IAPMEI on 3 October 2023**, approving the official list of the Testing Beds selected under Notices No. 03/C16-i02/2022, No. 07/C16-i02/2022 and No. 09/C16-i02/2022 and the list specifying the sectoral alignment between the selected Test Beds and the Digital Innovation Hubs.
iv) **Notice No. 03/C16-i02/2022**, launched on 6 April 2022, with republications on 21 April 2022, 17 June 2022, 27 July 2022, 26 September 2022, and 01 June 2023; it was published on the Recuperar Portugal website (www.recuperarportugal.gov.pt) as well as on the website Agência para a Competitividade e Inovação, I.P. (IAPMEI) (www.iapmei.pt)
v) **Notice No. 07/C16-i02/2022**, launched on 21 July 2022, with republications on 4 August 2022, 26 September 2022 and 1 June 2023; it was published on the Recuperar Portugal website (www.recuperarportugal.gov.pt) as well as on the website Agência para a Competitividade e Inovação, I.P. (IAPMEI) (www.iapmei.pt)
vi) **Notice No. 09/C16-i02/2022**, launched on 27 September 2022, with republication on 1 June 2023; it was published on the Recuperar Portugal website (www.recuperarportugal.gov.pt) as well as on the website Agência para a Competitividade e Inovação, I.P. (IAPMEI) (www.iapmei.pt)

The authorities also provided:

vii) **Government Order No. 135-A/2022** of 1 April (published in Portugal's Official Journal, *Diário da República*, No. 651/2022, first series of 1 April 2022, pages 2 – 17), regulating the scheme of incentives of Component 16 'Enterprises 4.0' of the Recovery and Resilience Plan.
viii) **Excel file** providing details on selected Test Beds, more specifically on the leaders and co-promoters as well as projects.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.
Number of Test Beds selected to be further on installed with the necessary equipment to enable development and testing of pilot products in the National Test Beds Network.
The Decisions of Approval issued by IAPMEI on 17 February 2023 demonstrates the selection of 33 eligible test beds out of 54 applications received following three calls for tenders (Notice Number

03/C16-i02/2022; Notice Number 07/C16-i02/2022; Notice Number 09/C16-i02/2022). Therefore, the target of 30 Test Beds selected is considered met. In addition, the Decisions of Approval issued by IAPMEI on 3 October 2023 provides details on the 33 selected Test Beds, such as application number, leader's name, leader's VAT number, city, size, main sector, total investment, project's name, and the number of pilot products.

The "Eligibility conditions for operations" in the calls for tenders (Notice Number 03/C16-i02/2022; Notice Number 07/C16-i02/2022; Notice Number 09/C16-i02/2022) ensured that test beds had the necessary equipment by specifying that the test beds' "services are essentially aimed at SMEs and start-ups, through the provision of infrastructures and technological capacity aimed at creating the necessary conditions for member companies to develop and test new products".

Moreover, Annex I "Eligible expenditure and aid intensity per investment measure" of Government Order No. 135-A/2022 includes in Table a) "National Network of Test Beds" a cost item "Investment costs in intangible assets and tangible" as an eligible expense, demonstrating that the selected Test Beds can install the necessary equipment to enable development and testing of pilot products as requested by the target description.

The coverage of the industry sectors, as well as their subsectors shall correspond to those projected for the Digital Innovation Hubs (DIH) network in order to generate synergies and complementarities with the DIH network.

Sectoral correspondence between Test Beds and Digital Innovation Hubs was ensured in the call for tenders (Notice Number 03/C16-i02/2022; Notice Number 07/C16-i02/2022; Notice Number 09/C16-i02/2022) in Point 5. "Eligibility conditions for operations" which defined as an eligibility condition that operations for the constitution and management of Test Beds shall include: "Contributions to networking in its various dimensions: (...) with the Digital Innovation Hub (DIH), with a view to complementing the services provided by DIHs." In addition, the Decision of Approval issued by IAPMEI on 3 October 2023, reported in detail the matching between selected Test Beds and Digital Innovation Hubs according to the sectors in which both operate.

The selection criteria shall ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) of supported transactions under this measure through the use of an exclusion list, and the requirement of compliance with the relevant EU and national environmental legislation.

Compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) was ensured by the inclusion in point 15.3 "Procedure for the admission and selection of applications" and Annex I of the call for tenders (No. 03/C16-i02/2022, No. 07/C16-i02/2022 and No. 09/C16-i02/2022) of a condition for the access and eligibility for the final beneficiaries to pursue "only applications that ensure compliance with the "Do No. Significant Harm" (DNSH) principle, not including activities that cause significant damage to any environmental objective within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council (EU Taxonomy Regulation), in accordance with the list of excluded activities set out in Annex I.". The exclusion list is therefore found in Annex I of the documents.

In the Government Order No. 135-A/2022, "Regulation of the Enterprise 4.0 incentive scheme" which regulates all investment under Component 16 of the Recovery and Resilience Plan, Article 7 "Eligibility criteria for final beneficiaries", point c) reads "To be able to legally carry out activities in the territory covered by the type of operations and investments applied for, including compliance with applicable EU and national environmental legislation". In addition, Annex I of the call for tenders (No. 03/C16-i02/2022, No. 07/C16-i02/2022 and No. 09/C16-i02/2022) specifies that only activities that comply with applicable EU and national environmental legislation can be selected, ensuring compliance with the relevant EU and national environmental legislation.

Furthermore, in line with the description of the measure, **for tenders, in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the**

following list of activities: i) activities related to fossil fuels, including downstream use; ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and iv) activities where the long-term disposal of waste may cause harm to the environment.

Compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) was ensured by the inclusion in point 15.3 "Procedure for the admission and selection of applications" and Annex I of the call for tenders (No. 03/C16-i02/2022, No. 07/C16-i02/2022 and No. 09/C16-i02/2022) of a condition for the access and eligibility for the final beneficiaries to pursue "only applications that ensure compliance with the "Do No. Significant Harm" (DNSH) principle, not including activities that cause significant damage to any environmental objective within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council (EU Taxonomy Regulation), in accordance with the list of excluded activities set out in Annex I.". The exclusion list is therefore found in Annex I of the documents.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 17.1	Related Measure: TD-C17-r32: Modernisation and Simplification of Public Financial Management		
Name of the Target: Complete the design and implementation of new procurement models for the national central public procurement system as foreseen in the strategic plan 2020-2023 of the public administration shared services entity			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 10	**Time:** Q4 2022

Context:

The objective of the reform is to improve the quality and sustainability of public finances in Portugal, in particular, to strengthen expenditure control and to increase appropriate budgeting. Among its initiatives, the reform seeks to improve transparency and efficiency in the use of public resources, by introducing improvements in the remit of national central public procurement.

Target 17.1 requires the complete design and implementation of ten procurement models to make public procurement more efficient.

Target 17.1 is a first step of the implementation of the reform, and it is accompanied by milestones 17.2, 17.3 and 17.7, all part of the same payment request. It will be followed by milestones 17.4, 17.5, and target 17.8, related to the adoption of a costing model for programme budgeting, the integration of spending reviews in the regular budgetary process and the approval of budget and activities plans of state-owned enterprises, respectively.

The reform has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was satisfactorily fulfilled.

ii) **Eight framework agreements** for the national central public procurement system, celebrated between the public administration shared services entity (ESPAP) and one or more suppliers/ service providers:

   a) **Framework agreement 1**: framework agreement for the provision of natural gas for mainland Portugal, which entered into force on 16 September 2022;

   b) **Framework agreement 2**: framework agreement for the provision of photocopying and printing paper, which entered into force on 27 July 2022;

   c) **Framework agreement 3**: framework agreement for the provision of surveillance and security services, which entered into force on 8 August 2022;

   d) **Framework agreement 4**: framework agreement for the provision of ICT consultancy

services, which entered into force on 18 May 2022 and 1 June 2022;

e) **Framework agreement 5**: framework agreement for the provision of maintenance services of lifting facilities, which entered into force on 29 September 2021;
f) **Framework agreement 6**: framework agreement for the provision of furniture, which entered into force on 27 October 2021;
g) **Framework agreement 7**: framework agreement for the provision of HVAC systems maintenance services, which entered into force on 20 December 2021.
h) **Framework agreement 8**: framework agreement for the provisions of electricity in public payphones for electric mobility, which entered into force on 16 September 2021;

iii) **Two contracting models**, with green public procurement criteria:

a) Green public procurement criteria from the National Strategy for Green Public Procurement 2020 (ENCPE 2020), for graphics, consumables and printing services by the Portuguese Environment Agency (APA) published in July 2022 (exact date not specified);
b) Green public procurement criteria from the National Strategy for Green Public Procurement 2020 (ENCPE 2020) for data centres, service rooms and cloud services by the Portuguese Environmental Agency (APA) published in July 2022 (exact date not specified).

iv) **Report of August 2023** elaborated by the public administration shared services entity (ESPAP), covering all framework agreements and contractual models, which demonstrates how the new procurement models improved the public procurement system, signed by the ESPAP President on 2 October 2023.

v) **List of new goods and services** subject to centralised procurement, covering all framework agreements and contracting models, elaborated by the public administration shared services entity (ESPAP) signed by the ESPAP President on 2 October 2023.

The authorities also provided:

vi) **Report with examples on the implementation of the green public procurement criteria** from the National Strategy for Green Public Procurement 2020 (ENCPE 2020) by the public administration shared services entity (ESPAP) signed by the ESPAP President on 2 October 2023.

Analysis:

The justification and substantiating evidence provided by the Portugal authorities covers all constitutive elements of the target.

Number of revised framework agreements and contracting models.

Portugal has completed ten procurement models for the national central public procurement system as required by the quantitative indicator. These ten procurement models include eight framework agreements (see the Eight framework agreements), which entered into force between September 2021 and August 2022 (clause 9 of each of the eight framework agreements), and two contracting models with green public procurement criteria (see the Two contracting models) published in July 2022. Seven procurement models cover goods and services previously subject to a procurement model that had expired or was terminated. These are the Framework agreements 1-7 on the provision of natural gas, photocopying and printing paper, surveillance and security, ICT consultancy services, maintenance of services of lifting facilities, furniture, and HVAC systems maintenance services. Furthermore, a new framework agreement was created for electricity in public payphones for electric mobility (Framework agreement 8), which constitutes a new category of goods and services that had not previously been covered. In addition, two new contracting models were created covering goods and services not covered before by centralised public procurement. These two contracting models with green public procurement criteria cover Graphics, consumables and printing services and Data

Centres, Service Rooms and Cloud Services. The two contracting models provide guidelines on the preparation of procedural documents to promote inclusion of green criteria in public procurement procedures (section 1.3. of the two contracting models).
While the target description requires *revised* framework agreements and contracting models, procurement models, the target name refers to *new* procurement models for the national central public procurement system. To comply with both requirements, Portugal has revised seven framework agreements (framework agreements 1-7) that had either expired or had been terminated by the Public Administration Shared Services Entity, I.P. (ESPAP). The remaining framework agreement (framework agreement 8) corresponds to a new category of goods and services. In addition, two new contracting models with green public procurement criteria were also completed in July 2022 (https://diariodarepublica.pt/dr/detalhe/resolucao-conselho-ministros/13-2023-207272801).
As shown in the report of August 2023, both framework agreements (pages 1 to 3 of the report of August 2023) and contracting models (pages 3 and 4 of the report of August 2023) have been implemented. Framework agreements are contracts concluded between one or more public authorities and one or more service providers or suppliers of goods, fixing the terms in advance for future orders. The report of August 2023 shows the contribution of the implementation of each framework agreement to economic, efficient and effective procurement systems, as well as its contribution to reinforce control and monitoring mechanisms (second and fourth columns of the table). The report with examples on the implementation of the green public procurement criteria demonstrates in the third column of the table that the different criteria and guidelines included in the two contracting models with green public procurement criteria have been implemented in technical specifications of launched tenders by providing examples concerning each one of the contractual models.
In order to:
i) promote administrative simplification.
Framework agreements promote administrative simplification since they are ready-to-use contracts where the qualification of the supplier and the specifications of goods and services to be provided are already determined. These framework agreements also contain rules about the preparation of the future contracts, including the call for tender procedure that should take place on the online platform ('*Plataforma Eletrónica de Contratação Publica*') of the national central public procurement system further contributes to promote administrative simplification (eSPap - SPCP).
The contracting models with green procurement criteria contribute to streamline the public procurement process by including a pre-defined set of criteria and guidelines for public procurement documentation, especially in terms of the definition of selection criteria, technical specifications, award criteria, and contract performance clauses.
ii) reinforce monitoring and control mechanisms.
The framework agreements and contracting models reinforce the monitoring and control mechanisms of the national central public procurement system (see fourth column of the table of the Report of August 2023, page 1 to 4). Under the framework agreements, suppliers are obliged to report their invoices to the public administration shared services entity (clause 5 of the Eight framework agreements). This centralisation of public procurement reinforces monitoring and control over public purchases. The contracting model with green public procurement criteria covering graphics, consumables and printing services, reinforces monitoring and control mechanisms by defining that, under these models, the contracting authority is entitled to ask tenderers to provide specific labels, test reports, or certificates to demonstrate that the goods or services meet the required standards. Alternatively, they may request samples of the products as a means of verifying compliance with the established criteria (page 13 of the contracting model covering graphics consumables and printing services). The contracting model covering printing services and Data Centres, Service Rooms and Cloud Services contributes to reinforcing monitoring and control mechanisms via sampling reports for the products under the contracting model and the corresponding operational performance of the systems (page 11).

iii) foster cost efficiency and rationalisation considerations.
According to the Report of August 2023 (see pages 1 to 4, second column of the table), the new framework agreements and contracting models are expected to foster cost efficiency and rationalisation considerations. The Report of August 2023 presents estimates of the expected savings from these new procurement models for 2021 and 2022 (third column of the table of the Report of August 2023, pages 1 to 4) associated to each framework agreement and contracting model.
iv) broaden the list of good and services subject to centralised procurement.
Framework agreement 8 extends the list of goods and services subject to public procurement with the addition of electricity in public payphones for electric mobility.
In addition, as shown by the list of new goods and services subjected to centralised procurement of 2 October 2023, the new framework agreements and contracting models broaden the list of goods and services subject to centralised procurement. A total of 20 500 prices for goods and services were revised following the entry into force of the new framework agreements, of which more than 13 450 had not been covered by a framework agreement since 2019 (see summary document page 6). The update of prices for goods and services already covered and the setting up of prices for new categories of goods and services extends the list of goods and services subject to centralised procurement.
v) promote collaboration among internal and external stakeholders.
The Report of August 2023 demonstrates that the new framework agreements and contracting models promote collaboration among internal and external stakeholders, including public and private entities, by providing information on the number of training sessions and participants under each framework agreement or contract model (see pages 1 to 4, fifth column of the table). Framework agreements are contracts concluded between one or more public authorities and one or more service providers or suppliers of goods. With more framework agreements, collaboration between internal and external stakeholders is increased. At the same time, the contracting models with green public procurement criteria were the result of a working group, composed of both internal and private stakeholders (see page 3 and 4 of the copies of two contracting models with green public procurement criteria).
The name of the target also requires that the framework agreements and contracting models should be completed as foreseen in the strategic plan 2020-2023 of the public administration shared services entity. The public administration shared services entity (ESPAP) strategic plan 2020-2023 (https://www.espap.gov.pt/FrontEnd/Paginas/Genericas/PlanoEstrategico_tpl_1.aspx) has six axes: Expansion of services, Value creation in the Public Administration, Digital Transformation, Collaboration with stakeholders, Communication and control, and Culture and people. Both the eight framework agreements and the two contracting models fall under at least the axes on the expansion of services, and the promotion of the collaboration with stakeholders, as shown above.

Furthermore, in line with the description of the measure, **improvements in the remit of centralised procurement shall be implemented to strengthen efficiency.**
According to the report of August 2023 (see pages 1 to 4, second column of the table), the efficiency of the national central public procurement system is enhanced in view of the following features of the new procurement models: price indexation mechanism to allow for a more frequent revision of prices, cover good and services as a function of the actual needs from public entities, introduce bundling mechanisms, as regional lots, to promote the entities participation and provide ready-made guidelines for the implementation of green public procurement criteria.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 17.2	Related Measure: TD-C17-r32: Modernisation and Simplification of Public Financial Management
Name of the Milestone: Entry into force of the legislation underpinning the State Accounting Entity	

Qualitative Indicator: Entry into force of the legislation underpinning the State Accounting Entity	**Time:** Q4 2022

Context:

The objective of the reform is to improve the quality and sustainability of Portuguese public finances, by contributing to the full and effective implementation of the 2015 Budgetary Framework Law.

Milestone 17.2 concerns the entry into force of the legislation underpinning the State Accounting Entity, to regulate which specific revenue and expenditure items shall be included in the budget of the State Accounting Entity.

Milestone 17.2 is a first step in the implementation of the reform, and it is accompanied by target 17.1 and milestones 17.3 and 17.7, all part of the same payment request. It will be followed by milestone 1, part of investment TD-C17-i01 ('Public Financial Management Information Systems'), related to the complete implementation of the State Accounting Entity. Milestone 17.2 will also be followed by milestones 17.4, 17.5, and target 17.8, related to the adoption of a costing model for programme budgeting, the integration of spending reviews in the regular budgetary process and the approval of budget and activities plans of state-owned enterprises, respectively. The reform has a final expected date for implementation in Q4 2025.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.

ii) **Order of the Minister of Finance No. 274/2023** of 6 January (published in Portugal's Official Journal, *Diário da República* No. 5/2023, second series of 6 January 2023, pages 53-56) , which regulates the State Accounting Entity. The link can be found: https://diariodarepublica.pt/dr/detalhe/despacho/274-2023-205810100

iii) **Report on the State Accounting Entity** signed on 7 October 2023 and issued by the UniLEO ('*Unidade de Implementação da Lei de Enquadramento Orçamental*').

The authorities also provided:

iv) **Law No. 151/2015 of 11 September** (published in Portugal's Official Journal, *Diário da República* No. 178/2015, first series of 11 September 2015, pages 7566-7584) on the Budgetary Framework Law. The link can be found: https://dre.pt/dre/detalhe/lei/151-2015-70262477

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Entry into force of secondary legislation (and/or administrative guidelines) to regulate which specific revenue and expenditure items shall be included in the budget of the State Accounting Entity…

As stated in the report on the State Accounting Entity (see section 1, page 1), the 2015 Budgetary Framework Law provides for the creation of the State Accounting Entity (Article 3 of Law No. 151/2015), defines the content of its budget (Article 49 of Law No. 151/2015) and the principles for its treasury management (Article 55 of Law No. 151/2015). The State Accounting Entity is defined as the accounting representation of revenue and expenditure, assets, and liabilities, as well as income and expenses that relate to the State, as a sovereign entity.

The Order of the Minister of Finance No. 274/2023, which entered into force on the date of its signature on 21 December 2022, according to article 155 of the Code of Administrative Procedure (Decree Law No. 4/2015 of 7 January), regulates the State Accounting Entity and specifies which revenue and expenditure items shall be included in its budget. Point 1 of the Order of the Minister of Finance No. 274/2023 identifies which specific revenue (point 1(a)) and expenditure items (point 1(b))

shall be included in the budget of the State Accounting Entity. In addition, point 8 of the Order of the Minister of Finance No. 274/2023 approves the State Accounting Entity's budget model (see Annex to the Order of the Minister of Finance No. 274/2023).

…in full compliance with Articles 49 and 55 of the 2015 Budgetary Framework Law.

Article 49 and 55 of the 2015 Budgetary Framework Law (Law No. 151/2015) define the content of the State Accounting Entity budget and the principles that apply to the management of its treasury, respectively. The Order of the Minister of Finance No. 274/2023 further specifies the conceptual framework of the State Accounting Entity, in full compliance with both Articles 49 and 55 (see report on the State Accounting Entity, sections 2 and 3, pages 2-12):

- Point 1 of the Order of the Minister of Finance No. 274/2023 identifies the specific revenue (point 1(a)) and expenditure (point (b)) items that shall be included in the budget of the State Accounting Entity, in line with the revenue and expenditure items defined in Article 49(1) of the 2015 Budgetary Framework Law.
- Point 2 of the Order of the Minister of Finance No. 274/2023 further specifies the state management transactions that ensure the State Accounting Entity's accounting representation. Point 2(f) defines the management of the State treasury, the State's public debt and related charges as one of these management transactions (see section 4, page 7 of the report on the State Accounting Entity). This is in line with the specifications for the treasury management of the State Accounting Entity in Article 55 of the 2015 Budgetary Framework Law.
- Point 3 of the Order of the Minister of Finance No. 274/2023 states the responsibilities of the entities acting on behalf of the State with respect to the preparation and execution of the State Accounting Entity budget, and the collaboration principles that govern the relationship between these entities and the Directorate-General for the Budget. These include to provide the Directorate-General for the Budget with all the necessary, reliable, and complete information. This complies with Article 49(2) of the 2015 Budgetary Framework Law, where it is defined that public entities are subject to a duty of cooperation with the Directorate-General for the Budget.
- Point 4 of the Order of the Minister of Finance No. 274/2023 clarifies that the information of the State Accounting Entity, as detailed in Article 49 of 2015 Budgetary Framework Law, presented with both budgetary and financial accounting approaches shall be in accordance with the accounting framework currently in force. The accounting framework currently in force is the Accounting Standardisation System for the Public Administration ('*Sistema de Normalização Contabilística para as Administrações Públicas'* or SNC-AP) approved by Decree Law No. 192/2015 of 11 September.
- Point 5 of the Order of the Minister of Finance No. 274/2023 details the responsibilities of the Directorate-General for the Budget with respect to the preparation of the State Accounting Entity's budget, which include coordinating its preparation and proposing guidelines for its development (point 5(a)). This is in compliance with Article 49(2) of the 2015 Budgetary Framework Law, where the Directorate-General for the Budget is defined as the entity with the competence to elaborate the State Accounting Entity budget.
- Point 6 of the Order of the Minister of Finance No. 274/2023 defines the individual responsibilities of the public entities acting on behalf of the State, further specifying their responsibilities, in compliance with Article 49(2) of the 2015 Budgetary Framework Law.
- Point 7 of the Order of the Minister of Finance No. 274/2023 clarifies that the Directorate-General for the Budget shall submit to the Member of the Government responsible for the area of finances the relevant State Accounting Entity documentation (specified in Article 65 of the 2015 Budgetary Framework Law). This complies with Article 49(2) of the 2015 Budgetary Framework Law where the Directorate-General for the Budget is defined as the entity with the competence to prepare the State Accounting Entity's budget.
- Point 8 of the Order of the Minister of Finance No. 274/2023 approves the State Accounting

Entity's budget model (see Annex to the Order of the Minister No. 274/2023), including expenditure and revenue, and the overall, current, capital, and primary balances, in compliance with the requirements defined in Article 49(3) of the 2015 Budgetary Framework Law.

As stated in section 4 of the report on the State Accounting Entity (pages 7 to 12), this conceptual framework defined in the Order of the Minister of Finance No. 274/2023, and described above, ensure a management of State Accounting Entity's treasury as in Article 55 of the 2015 Budgetary Framework Law. Concretely, this conceptual framework provides a comprehensive overview of the treasury flows and availabilities for public entities and also includes the management of the State treasury as a constitutive element of the State Accounting Entity's accounting representation.

Furthermore, in line with the description of the measure, **first, gradual steps shall contribute to the full and effective implementation of the 2015 Budgetary Framework Law** (Law No. 151/2015).

The Order of the Minister of Finance No. 274/2023 clarifies the guidelines for the effective implementation of the State Accounting Entity, by defining its conceptual model and identifying the relevant transactions which must be recorded, as specified in the Order of the Minister of Finance No. 274/2024, points 1 to 8, on its accounts and therefore contributes to the full and effective implementation of the 2015 Budgetary Framework Law.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 17.3	Related Measure: TD-C17-r32: Modernisation and Simplification of Public Financial Management

Name of the Milestone: Completion and approval of the model for monitoring the budgetary and financial execution of general government

Qualitative Indicator: Completion and approval of the model for monitoring the budgetary and financial execution of general government	**Time:** Q4 2022

Context:

The objective of the reform is to improve the quality and sustainability of public finances in Portugal to strengthen expenditure control and appropriate budgeting. Among its initiatives, the reform seeks to upgrade the information systems for public financial management.

Milestone 17.3 concerns the completion and approval by the Ministry of Finance of the model for monitoring the budgetary and financial execution of the general government.

Milestone 17.3 is a first step in the implementation of the reform, and it is accompanied by target 17.1 and milestones 17.2 and 17.7, all part of the same payment request. It will be followed by milestone 17.11, part of investment TD-C17-i01 ('Public Financial Management Information Systems'), related to the entry into operation of a support information system for the model for budgetary and financial monitoring. Milestone 17.3 will also be followed by milestones 17.4, 17.5, and target 17.8, related to the adoption of a costing model for programme budgeting, the integration of spending reviews in the regular budgetary process and the approval of budget and activities plans of state-owned enterprises, respectively. The reform has a final expected date for implementation in Q4 2025.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.

ii) **Order of the Minister of Finance No. 275/2023 of 6 January** (published in Portugal's Official Journal, 'Diário da República', No. 5/2023, second series of 6 January 2023, pages 57-68), which approves the conceptual model for budgetary, economic, and financial monitoring and control. The link can be found: https://diariodarepublica.pt/dr/detalhe/despacho/275-2023-205810101

iii) **Report on the model** for budgetary, economic, and financial monitoring and control and its compliance with the provisions of the 2015 Budgetary Framework Law and the accruals-based principles for public administration signed on 17 October 2023 and issued by the Ministry of Finance.

The authorities also provided:

iv) The **list of the 2015 Budgetary Framework Law articles** and the compliance of the model for budgetary, economic, and financial monitoring with the different Budgetary Framework Law articles, signed on 17 October 2023 and issued by the Ministry of Finance.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Completion and approval by the Ministry of Finance of the model for controlling and monitoring the budgetary and financial execution of general government…

Point 1 of the Order of the Minister of Finance No. 275/2023, which entered into force on the date of its signature on 28 December 2022, according to article 155 of the Code of Administrative Procedure (Decree-Law No. 4/2015 of 7 January), approves the conceptual model for budgetary, economic, and financial monitoring and control (the 'model').

The model is presented in Figures 2 and 3, and further detailed on pages 61 to 67 of the Order of the Minister of Finance No. 275/2023. The model is completed, consisting of the following structure and main elements:

- The governance of the model lies with the Ministry of Finance, with responsibilities defined for its specific integrating entities (see page 59 of the Order of the Minister of Finance No. 275/2023).
- The model's structure is based on the phases and elements of the Portuguese budgetary cycle (see pages 1 to 2 of the report on the model).
- The monitoring and controlling instruments and indicators are defined in tune with the phases of the Portuguese budgetary cycle (see Figure 3 of the Order of the Minister of Finance No. 275/2023).
- The classification, recording and reporting of transactions is based on the Multidimensional Accounts Plan ('*Plano de Contas Multidimensional*' or 'PCM'), defined by the Decree-Law No. 192/2015 of 11 September approving the Accounting Standardisation System for the Public Administration ('*Sistema de Normalização Contabilística para as Administrações Públicas'* or SNC-AP) (see Figure 2 of the Order of the Minister of Finance No. 275/2023).
- The model includes different accounting perspectives, as financial, budgetary, treasury and national accounts. As stated in the report on the model (page 3) the Multidimensional Accounts Plan ensures the reconciliation of the different accounting perspectives (see Figure 2 of the Order of the Minister of Finance No. 275/2023).
- The model considers the general government sector, as defined in the European system of national and regional accounts (see page 1 of the report on the model).
- The model outputs include reports and publications based on the instruments and indicators for monitoring and control (see Figure 3 of the Order of the Minister of Finance No. 275/2023).

…in full compliance with the provisions of the 2015 Budgetary Framework Law…

As shown in the report on the model, and in the list of the 2015 Budgetary Framework Law articles, the model is in full compliance with the provisions of the 2015 Budgetary Framework Law:

- The model considers the general government sector, and its respective sub-sectors, as defined in Article 2 of the 2015 Budgetary Framework Law. The model, as depicted by Figure 3 of the Order of the Minister of Finance No. 275/2023, considers a budgetary and accounting scope

as per Article 3 of the 2015 Budgetary Framework Law (see page 1 of the report on the model).

- The model is articulated with the phases and corresponding elements, such as the Stability Programme, the Major Planning Options, and the State Budget, of the budgetary cycle as defined in articles 32 to 67 of the 2015 Budgetary Framework Law. These are in turn to be drawn up in compliance with the rules and principles for budgetary policy enshrined in the articles in Title II of the 2015 Budgetary Framework Law (see Figure 2 and 3 of the Order of the Minister of Finance No. 275/2023).
    - The model provides for the effective implementation of programme budgeting, as defined in articles 45 to 48 of the 2015 Budgetary Framework Law (see page 2 of the report on the model).
    - The model includes control and monitoring mechanisms feeding into the State Accounting Entity in line with article 49 of the Budgetary Framework Law (see page 2 of the report on the model).
    - Articles 43, 50, 64 and 65 of the 2015 Budgetary Framework Law define the preparation of budgetary and financial statements. The data management defined in the model, based on the Accounting and Public Accounts System (designated as S3CP), shall allow for the preparation of such statements (see page 2 of the report on the model).
- The model is foreseen as an integral part of the mechanisms for internal, political, and external control of budgetary execution (see page 2 of the list of the 2015 Budgetary Framework Law articles), in line with the controls, responsibilities and transparency requirements defined in articles 68 to 76 of the 2015 Budgetary Framework Law.

…and the accruals-based principles of the accounting standard for public administration.
The Multidimensional Accounts Plan, a pillar of the accounting standard for the public administration or SNC-AP, as specified in the Decree-Law No. 192/2015, ensures the full compliance of the model with the accruals-based principles of the SNC-AP (see page 3 of the report on the model). This Plan, which consists of guidelines for the recording and reporting of transactions, is defined as an integral part of the model (see Figure 2 of the Order of the Minister of Finance No. 275/2023). It allows for the reconciliation of the cash (financial, budgetary and treasury accounting) and accruals accounting perspectives (national accounts). At the same time, the data sources defined for the model, as the S3CP, will ensure that the data is collected in line with the SNC-AP principles since the S3CP system builds on these principles (see page 3 of the report on the model and page 2 of the Order of the Minister of Finance No. 275/2023).

Furthermore, in line with the description of the measure, **gradual steps shall contribute to the full and effective implementation of the 2015 Budgetary Framework Law.** The Order of the Minister of Finance No. 275/2023 contributes to the full and effective implementation of the 2015 Budgetary Framework Law (Law No. 151/2015 of 11 September). The model, as described in the preamble of the Order of the Minister of Finance No. 275/2023, serves as a basis for the planned significant upgrade of the information systems for public financial management which is expected to facilitate adherence to the accruals-based accounting system. This planned significant upgrade is to be implemented by milestone 17.11 (investment TD-C17-i01), on the entry into operation of a support information system based on the model described in the Order of the Minister of Finance No. 275/2023.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 17.7	Related Measure: TD-C17-r32: Modernisation and Simplification of Public Financial Management
Name of the Milestone: Entry into force of the new model for analysing and disclosing the financial situation and performance of state-owned enterprises	

Qualitative Indicator: Entry into force of the new report detailing the financial situation and performance of state-owned enterprises	**Time:** Q4 2022

Context:

The objective of the reform is to improve the quality and sustainability of public finances in Portugal to strengthen expenditure control and appropriate budgeting.

Milestone 17.7 requires the entry into force of the new model to analyse and disclose the financial situation and performance of state-owned enterprises on a regular and timely basis, incorporating the financial data collected through the new state-owned enterprise sector information system.

Milestone 17.7 is one of the steps in the implementation of the reform, and it is accompanied by target 17.1 and milestones 17.2 and 17.3, all part of the same payment request. It will be followed by milestones 17.4, 17.5, and target 17.8, related to the adoption of a costing model for programme budgeting, the integration of spending reviews in the regular budgetary process and the approval of budget and activities plans of state-owned enterprises, respectively. The reform has a final expected date for implementation in Q4 2025.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all constitutive elements) was satisfactorily fulfilled.

ii) **Order No. 146/2023** of 12 April of the Secretary of State for the Treasury (published on the website of *Unidade Técnica de Acompanhamento e Monitorização do Sector Público Empresarial*; The link can be found here https://www.utam.gov.pt/documentos/Despacho_146_2023_SET.pdf).

iii) **Note of September 2023 with the description of the new report model** issued by the Technical Unit for the Monitoring and Supervision of the Public Corporate Sector (*Unidade Técnica de Acompanhamento e Monitorização do Sector Público Empresarial*) on the financial situation of the state-owned enterprises adopted by the Ministry of Finance, signed on 23 October 2023

iv) **Note of September 2023 on the coverage of the State-Owned Enterprises Report** issued by the Technical Unit for the Monitoring and Supervision of the Public Corporate Sector (*Unidade Técnica de Acompanhamento e Monitorização do Sector Público Empresarial*) detailing the financial situation of the state-owned enterprises, signed on 23 October 2023.

v) **Examples of the implementation** of the new report model adopted by the Ministry of Finance:
   a) Annual report of the state-owned enterprises: **Q4 2022 report covering 2022**
   b) Quarterly report of the state-owned enterprises: **Report from October 2023 covering Q2 2023**

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Entry into force of the new report detailing the financial situation and performance of state-owned enterprises.

Order No. 146/2023 establishes the entry into force of the new report model for state-owned enterprises. Order No. 146/2023 entered into force on 12 April 2023 - at the date that the administrative act was performed - as defined by Article 155 of the Code of Administrative Procedure (approved Decree Law No. 4/2015 of 7 January) and establishes the main requirements of the new report model.

The new report model includes information on the financial situation and performance of state-owned enterprises (see point 1 of the Order No. 146/2023), including information on their cash flows and the profit and loss account (see points 3 and 4 of the Order No. 146/2023). The example of the

reports for 2022 (Q4 2022 report covering 2022) shows the application of the new report model as provided for in Order No. 146/2023. Following Order No. 146/2023, Portugal published a report concerning Q2 2023 (Report from October 2023 covering Q2 2023), which details the financial situation and performance of state-owned enterprises. The reports include information (see section on the analysis of the economic-financial situation in the examples of the new report, pages 11 to 31) on profit and loss accounts, balance sheets, and financial performance ratios.
As stated in the Note of September 2023 with the description of the new report model (see section 1, page 1), the new report model has a larger scope than previous reports prepared by the Technical Unit for the Monitoring and Supervision of the Public Corporate Sector ('*Unidade Técnica de Acompanhamento e Monitorização do Sector Público Empresarial*', UTAM). According to point 1 of the Order No. 146/2023 the new report model covers all state-owned enterprises, as also outlined in the Note of September 2023 on the coverage of the State Owned Enterprises Report (page 1 of the report). Moreover, the new report model introduces new analytical sections, notably by examining the links between the balance sheets and profit and loss accounts with developments in state-owned enterprises cash flows (see section 1 of the Note of September 2023 on the coverage of the State Owned Enterprises Report).
On a regular and timely basis,
According to point 2 of Order No. 146/2023 the new reports have to be released on a quarterly basis. Under point 5 of Order No. 141/2023 the quarterly reports have to be published on the website of the Technical Unit for the Monitoring and Supervision of the Public Corporate Sector ('*Unidade Técnica de Acompanhamento e Monitorização do Sector Público Empresarial*', UTAM) the second month following the quarter that they cover with the exception of the report of the last quarter. The report for the last quarter is more comprehensive and includes annual information (point 4 of Order No. 146/2023) and has to be published until May of the following year (point 5 of the Ordre No. 146/2023).
Incorporating the financial data collected through the new state-owned enterprise sector information system.
According to point 1 of Order No. 146/2023, one of the sources of information of the new report model is the new state-owned enterprise sector information system ('*Sistema de Informação do Setor Empresarial do Estado'* or SISEE), managed by the Directorate-General for Treasury and Finance. In particular, point 3 of Order No. 146/2023 defines that the quarterly reports should use the information provided by the enterprises in the information system.

Furthermore, in line with the description of the measure, **a two-pronged approach is planned for state-owned enterprises, whereby measures to increase transparency in the disclosure of financial data** are complemented by steps to strengthen governance. As explained in point 1 of the Note of September 2023 with the description of the new report model, the new report model for state-owned enterprises contributes to the first element of this approach, as it promotes an increase in transparency in the disclosure of financial data of state-owned enterprises. This improvement is achieved through the expansion of the coverage of enterprises included, a broader scope of the analysis via the introduction of new analytical sections and the provision of relevant information to evaluate the evolution of indebtedness of state-owned enterprises.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 19.1	Related Measure: TD-C19-i01: Redesign of public and consular services		
Name of the Target: Public services available in a simplified and coherent way through different channels			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 5	**Time:** Q4 2022

Context:
The objective of the investment is to implement the digital by definition paradigm in the interaction between stakeholders and the Portuguese public administration, aiming at efficiency gains and

reducing bureaucracy.
Target 19.1 is related to redesigning five public services to make them available to citizens and businesses through various channels: the Single Digital Services Portal, the Contact Centre and Citizens' Spaces/Citizen's Shops.
Target 19.1 is the first step of the implementation of the investment, and it will be followed by target 19.2, related to increasing the number of public services made available to citizens and businesses through various channels for a total of 25 public services, and by target 19.3, related to the setting up of a new consular data management model. It will also be followed by milestone 19.25 and targets 19.26 and 19.27, related to the creation of new citizens shops and citizen spaces (19.25 and 19.26 respectively) and to the launch of a citizens' app (19.27). The investment has a final expected date for implementation in Q1 2026.

Evidence Provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.
ii) **Certificates of works completion** signed by the contractor and the competent authority demonstrating that the services are completed and operational.
   a) **Certificate of work completion for the service "Access to information on driving license points"** – signed by AMA, I.P. on 12 January 2023. (AMA, I.P. is the sole partner as competent authority and contractor through own resources)
   b) **Certificate of work completion for the service "Access to information on the history of vehicle administrative offences** – signed by AMA, I.P. on 12 January 2023. (AMA, I.P. is the sole partner as competent authority and contractor through own resources)
   c) **Certificate of work completion for the service "Activation of the Digital Mobile Key (CMD - Chave Móvel Digital)**– signed by AMA, I.P. on 12 January 2023 and by Glint, S.A. on 11 January 2023 as contractor.
   d) **Certificate of work completion for the service "Confirmation of change of address on the Citizen's Card"** – signed by AMA, I.P. on 12 January 2023 and by Glint, S.A. on 11 January 2023 as contractor.
   e) **Certificate of work completion for the service "Possibility to request the certificate of criminal records of natural persons"** - signed by AMA, I.P. on 12 January 2023 and by Glint, S.A. on 11 January 2023 as contractor.
iii) **Implementation report to target 19.1** prepared and signed by AMA, I.P. on 7 September 2023 demonstrating how these services are recorded in the enhanced Entity and Services Catalogue, available through several channels (single digital services portal, contact centre, Citizen spaces/ Citizen Shops) and following the 'only once' principle.

The authorities also provided:

iv) **Implementation report to target 19.4** prepared and signed by AMA, I.P. on 19 October 2023 demonstrating how digital public services are available to citizens and businesses and reusing the data made available in the iAP catalogue (available at iap.gov.pt), is covered by electronic identity (when requested by the services) and by the System for the Control of Personal Data in Public Administration.
v) **Government Order No. 312-B/2022** of 30 December (published in Portugal's Official Journal *Diário da República* No. 251/2022, first series of 30 December 2022, pages 38-52), which establishes the proceedings to receive the Citizen's Card.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Number of services that are recorded in the enhanced Entity and Services Catalogue

The Portuguese authorities have recorded the following five public services in the enhanced Entity and Services Catalogue (ESC):

i) On 30 September 2022, the service regarding access to information on driving license points system was launched, as certified by the certificate of work completion for the service "Access to information on driving licence points". The Implementation report to target 19.1 explains the configuration of the access to the driving licence points service in the ESC (pages 10-11). The Implementation report to target 19.1 also shows the unique code of this service in the ESC, which is SRV:000011992 (page 10).

ii) On 30 September 2022, the service regarding access to information on the history of vehicle administrative offences was launched, as certified by the certificate of work completion for the service "Access to information on the history of vehicle administrative offences". The Implementation report to target 19.1 explains the configuration of the access to the vehicle administrative offences service in the ESC (pages 18-19). The Implementation report to target 19.1 also shows the unique code of this service in the ESC, which is SRV:000011993 (page 19).

iii) On 31 December 2022, the service of activation of the Digital Mobile Key (CMD) was launched, as certified by the certificate of work completion for the service "Digital Mobile Key (CMD – Chave Móvel Digital)". The Implementation report to target 19.1 explains the configuration of the access to the Digital Mobile Key (CMD) service in the ESC (page 27). The Implementation report to target 19.1 also shows the unique code of this service in the ESC, which is SRV:000000019 (page 27).

iv) On 31 December 2022, the service of confirmation of change of address on the Citizen's Card was launched, as certified by the certificate of work completion for the service "Confirmation of change of address on the Citizen's Card". The Implementation report to target 19.1 explains the configuration of the access to the change of address on the Citizen's Card service in the ESC (pages 34-35). The Implementation report to target 19.1 also shows the unique code of this service in the ESC, which is SRV:000000544 (page 35).

v) On 15 December 2022, the service to request the certificate of criminal records of natural persons was launched, as certified by the certificate of work completion for the service "Possibility to request the certificate of criminal records of natural persons". The Implementation report to target 19.1 explains the configuration of the access to the certificate of criminal records of natural persons on the telephone channel service in the ESC (page 43). The Implementation report to target 19.1 also shows the unique code of this service in the ESC, which is SRV:000000605 (page 43).

[these five services] are available through several channels: single digital services portal, contact centre, Citizen Shops/ Citizen Spaces:

The certificates for work completion, for each of the five services (see evidences ii), a)- e)) attest that they are available through the single digital services portal, contact centre and Citizen Shops/ Citizen Spaces, as follows:

i) Single digital services portal: The five public services have been made available through the e-portal web of the Public Administration (Home - ePortugal.gov.pt) (pages 11, 19, 27, 35 and 44 of Implementation report to target 19.1) and can be accessed under the following links:
   i. Access to information on driving licence points: Consultar os pontos da carta de condução - ePortugal.gov.pt
   ii. Access to information on the history of vehicle administrative offences: Consultar o histórico de contraordenações rodoviárias - ePortugal.gov.pt
   iii. Activation of the Digital Mobile Key (CMD): Ativar a Chave Móvel Digital - ePortugal.gov.pt
   iv. Confirmation of change of address on the Citizen's Card: Confirmar a alteração de morada do Cartão de Cidadão (eportugal.gov.pt)

v. Possibility to request the certificate of criminal records of natural persons: Pedir o Registo Criminal de pessoas (eportugal.gov.pt)

ii) Contact centre: The Contact Centre supports citizens and businesses with the implementation of the services. This support is provided by Interactive Voice Respond (IVR) telephone and Video call, accessible through the e-Portugal web page. Citizens and businesses are required to fill in a templated form requiring name, email address and telephone number to schedule a call or a video call. The Implementation report to target 19.1 provides evidence of the back-end structure of the contact centre showing that the five services have been included:
   i. Access to information on driving licence points: pages 14-15 of the Implementation report to target 19.1
   ii. Access to information on the history of vehicle administrative offences: pages 22–23 of the Implementation report to target 19.1
   iii. Confirmation of change of address on the Citizen's Card: pages 39–40 of the Implementation report to target 19.1
   iv. Activation of the Digital Mobile Key (CMD): pages 31–32 of the Implementation report to target 19.1
   v. Possibility to request the certificate of criminal records of natural persons: pages 47–48 of the Implementation report to target 19.1

iii) Citizen Shops/ Citizen Spaces: Citizen Shops/ Citizen Spaces use a Service Deployment Management System tool that supports the provision of the services. The Implementation report to target 19.1 provides evidence of the front-office and back-end structure of the provision of the services in Citizen Shops/ Citizen Spaces showing that the five services have been included:
   i. Access to information on driving licence points: pages 15-16 of the Implementation report to target 19.1
   ii. Access to information on the history of vehicle administrative offences: pages 23–25 of the Implementation report to target 19.1
   iii. Confirmation of change of address on the Citizen's Card: pages 40–42 of the Implementation report to target 19.1
   iv. Activation of the Digital Mobile Key (CMD): pages 32-33 of the Implementation report to target 19.1
   v. Possibility to request the certificate of criminal records of natural persons: pages 48–50 of the Implementation report to target 19.1

This indicator implies redesigning these services according to the 'once only' principle

The 'once only' principle means that citizens and businesses provide their data only once to the public administration, which will store, secure and reuse it according to data protection laws. The fact that the five services are integrated in the ESC, which is shown above, means that they are also reusing data according to the 'once only' principle (page 7 of Implementation report to target 19.4).

…and making them available in an omnichannel approach.

As shown above, these five services are available: i) on the single digital services portal; ii) via (video) call to the contact Centre, and iii) in Citizen Shops/ Citizen Spaces. The accessibility of these five services therefore follows the omnichannel approach, which implies giving access digitally, via a call centre and in-person.

Furthermore, in line with the description of the measure, **this measure shall overhaul the front office of public […] services by putting in place an omnichannel response capacity (single digital gateway, call-centre and in-person services), coupled with a system of cross-cutting governance.**

As explained above, the five services are available via three channels, creating an omnichannel approach. The omnichannel approach provides a new, seamless experience that overhauls the classical, in person model of public services front office because it allows the end user to choose the most convenient entry point to the administration's services(Implementation report to target 19.1,

pages 9, 18, 27, 34 and 43 respectively). Moreover, making use of the 'once only' principle provides the possibility to navigate between the several services without necessarily re-entering personal data. This favours the simplification of the public administration and enhances the quality of services provided digitally by the State. This allows the cross-cutting governance of information and the provision of services.

Furthermore, in line with the description of the measure, **[…] taking advantage of cloud computing and on the use of 5G networks, to innovate, improve quality and reduce asymmetries in the provision of public services.**

The digitalisation of all the above services requires fast internet connections, such as 5G networks. In addition, for storing user's data, and for the provision of omnichannel services, cloud computing is necessary. The measure therefore takes advantage of both availabilities. This in turn creates innovation, improves quality, and allows the relationship of all citizens with the State to be "simple, agile and effective, ensuring the full exercise of individual rights, without prejudice to ensuring data security and document security" (sub-paragraph 1, Government Order No. 312-B/2022), thereby also reducing asymmetries in the provision of services.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 19.4	Related Measure: TD-C19-i02: Sustainable electronic services		
Name of the Target: Public services securely accessible through electronic identity and respecting the 'once only' principle			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 5	**Time:** Q3 2022

Context:

The objective of the investment is to provide the required back-office support to investment TD-C19-i1: Redesign of public and consular services. It aims at reinforcing data valorisation and exploitation by public services and strengthening interoperability and data sharing. The investment builds on reform TD-r34 (already completed and assessed as part of the first payment request) establishing a coordinated management of public administration data ecosystem, incorporating secure identification solutions, data access control mechanisms and statistical information.

Target 19.4 consists of five digital public services made available to citizens and businesses that reuse data available in the iAP platform.

Target 19.4 is the first target for this investment. It will be followed by targets 19.5 that extends the number of digital public services that reuse data to 25 and 19.6 that relates to the integration of data sources in the Territorial information infrastructure. The investment has a final expected date for implementation in Q1 2026.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.

ii) **Certificates of work completion** signed by the contractor and the competent authority demonstrating that the services are completed and operational.

   a) **certificate of work completion for the service "Access to information on driving license points"** – signed by AMA, I.P. on 23 November 2022. (AMA, I.P. is the sole partner as competent authority and contractor through own resources)

   b) **certificate of work completion for the service "Access to information on the history of vehicle administrative offences"** – signed by AMA, I.P. on 23 November 2022. (AMA, I.P. is the sole partner as competent authority and contractor through own resources)

   c) **certificate of work completion for the service "Activation of the Digital Mobile Key" (CMD - Chave Móvel Digital)** – signed by AMA, I.P. on 6 October 2022 and by Glint, S.A. on 4 October 2022 as contractor.

d) **certificate of work completion for the service "Confirmation of change of address on the Citizen's Card"** – signed by AMA, I.P. on 06 October 2022 and by Glint, S.A. on 4 October 2022 as contractor.

e) **certificate of work completion for thee service "Possibility to request the certificate of criminal records of natural persons"** - signed by AMA, I.P. on 6 October 2022 and by Glint, S.A. on 4 October 2022 as contractor.

iii) **Implementation report to target 19.4** prepared and signed by AMA, I.P. on 19 October 2023 demonstrating how digital public services are available to citizens and businesses and reusing the data made available in the iAP catalogue (available at iap.gov.pt), is covered by electronic identity (when requested by the services) and by the System for the Control of Personal Data in Public Administration.

The authorities also provided:

iv) **Public Administration data governance plan and guidance** of 24 February 2022, approved by Council for information and Communications Technologies in the Public Administration (*Conselho para as Tecnologias de Informação e Comunicação na Administração Pública* (CTIC), detailing the vision, roadmap and implementation plan for the Public Administration data governance.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Number of digital public services available to citizens and businesses reusing data available in the iAP catalogue (available at iap.gov.pt)

The following five (as required by the quantitative indicator) services have been incorporated into the integration platform (iAP), from which the implementation of omnichannel services is facilitated (Annex 3 of the Implementation report to target 19.4). The services are incorporated under the following links:

i) Access to information on driving license points; https://www.iap.gov.pt/web/iap/details?id=57. Details on the architecture of this service can be found on page 12 of the Implementation report to target 19.4.

ii) Access to information on the history of vehicle administrative offences; https://www.iap.gov.pt/web/iap/details?id=40. Details on the architecture of this service can be found on page 18 of the Implementation report to target 19.4.

iii) Activation of the Digital Mobile Key (CMD); https://www.iap.gov.pt/web/iap/details?id=64. Details on the architecture of this service can be found on page 27 of the Implementation report to target 19.4.

iv) Confirmation of change of address on the Citizen's Card; https://www.iap.gov.pt/web/iap/details?id=53. Details on the architecture of this service can be found on page 33 of the Implementation report to target 19.4.

v) Possibility to request the certificate of criminal records of natural persons https://www.iap.gov.pt/web/iap/details?id=13. Details on the architecture of this service can be found on page 39 of the Implementation report to target 19.4.

The certificates of work completion also attest, for each of the five services, that they are available in the iAP catalogue.

…covered by electronic identity (when requested by the services)

The use of electronic identity requires safe authentication methods.

The authentication with Digital Mobile Key was implemented for the five services, while authentication with Citizen Card was implemented for four of the services:

i) Access to information on the driving license points system: Digital Mobile Key and Citizen Card

(page 11 of the Implementation report to target 19.4).

ii) Access to information on the history of vehicle administrative offences: Digital Mobile Key and Citizen Card (page 19 of the Implementation report to target 19.4).

iii) Activation of the Digital Mobile Key (CMD): Digital Mobile Key and Citizen Card (page 27 of the Implementation report to target 19.4).

iv) Confirmation of change of address on the Citizen's Card: Digital Mobile Key and Citizen Card (page 34 of the Implementation report to target 19.4).

Possibility to request the certificate of criminal records of natural persons: Digital Mobile Key (page) 39 of the Implementation report to target 19.4).

…and by the System for the Control of Personal Data in the Public Administration

The control of personal data in the Public Administration is enabled by a strict data cataloguing system where all relevant data for the specific service is registered and stored in a predefined folder in the personal data system. Through the ePortugal.gov.pt portal, the citizen can see what data is shared between entities, what is the reason of the sharing and when the sharing took place (Section 04 of the Public Administration data governance plan and guidance).

The incorporation of the five services in the data cataloguing system is shown by the below representations:

i) Access to information on driving license points: page 12 of the Implementation report to target 19.4.

ii) Access to information on the history of vehicle administrative offences: page 20 of the Implementation report to target 19.4.

iii) Activation of the Digital Mobile Key (CMD): page 28 of the Implementation report to target 19.4.

iv) Confirmation of change of address on the Citizen's Card: page 34 of the Implementation report to target 19.4.

v) Possibility to request the certificate of criminal records of natural persons: Digital Mobile Key: page 39 of the Implementation report to target 19.4.

…and publishing open data on www.dados.gov.pt

The certificates for work completion attest, for each of the five services, that their open data is published on www.dados.gov.pt. The open data for the five services is to be exported every day and uploaded in dados.gov (automatic process) in a specific part of the platform dedicated to new-generation digital public services metrics.

The following data is published as open data on the national open data portal (dados.gov.pt) for the five services:

i) Access to information on driving license points (page 15 of the Implementation report to target 19.4):
   i. Entity's ESC code, SIOE code (Unique code for each entity or sub-entity assigned by the State's organisation information system and used to identify the entity on different platforms) or NIPC code (identification number of a legal person)
   ii. Service ESC Code
   iii. Office designation
   iv. Channel/system
   v. No. of applications (cumulated per day)
   vi. Timestamp

ii) Access to information on the history of vehicle administrative offences (page 23 of the Implementation report to target 19.4):
   i. Entity's ESC code, SIOE code (Unique code for each entity or sub-entity assigned by the State's organisation information system and used to identify the entity on different platforms) or NIPC code (identification number of a legal person)
   ii. Service ESC Code

iii. Office designation
iv. Channel/system
v. No. of applications (cumulated per day)
vi. Timestamp

iii) Activation of the Digital Mobile Key (CMD) (page 30 of the Implementation report to target 19.4): Completed CMD accession processes with biometrics.

iv) Confirmation of information on change of address on the Citizen's Card (page 36 of the Implementation report to target 19.4): Procedures initiated and completed to confirm the change of address for the Citizen's Card.

v) Possibility to request the certificate of criminal records of natural persons (page 41 of the Implementation report to target 19.4): Requests initiated each month by phone registry, by type of request.

Furthermore, in line with the description of the measure, [the investment] **shall promote the reuse of data collected by public authorities, implementing the 'once only' principle by relying on the interoperability and integration of IT systems, and broadening the use of electronic identification solutions.**

As shown above the use of integrated governmental platforms and systems (iAP and dados.gov.pt) ensures the reuse of the data collected by public authorities, which implements the 'once only' principle. As also shown above, the five services are also covered by electronic identity, used through electronic authentication methods.

Furthermore, in line with the description of the measure, **it shall promote open data and the availability of data for research purposes, while fostering data science skills.**

As shown above, the data collection and cataloguing of all relevant data for each of the five services on open ended data platforms allows users to verify their own records. Available data, by definition, also allows for the use of this data for research purposes, which in turn promotes data science skills.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 20.3	Related Measure: TD-C20-i01: Digital transition in education		
Name of the Target: Computers for the individual use of pupils and teacher			
Quantitative Indicator: Number	**Baseline:** 450 000	**Target: 1 050 000**	**Time:** Q4 2022

Context:

The objective of the investment is to advance the digital transition in the education sector. By doing this, it aims at providing new opportunities and development of skills to students, particularly digital skills.

Target 20.3 concerns the lending of 600 000 laptops to teachers and pupils in primary and secondary schools.

Target 20.3 is the second step of the implementation of the investment after target 20.2, which contained the signature of contracts for the purchase of the laptops and it will be followed by targets 20.4, 20.5, 20.6 20.7, 20.8 and 20.9 which envisage further actions regarding the digitalisation of schools like digital educational resources, equipment for classrooms or improving connectivity. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i. **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled
ii. **List of laptops** that have been lent to teachers and pupils in primary and secondary public schools by region and at national level.
iii. In the context of the sampling analysis, supporting documents were provided for the list of 60 and then 228 units for further verification of the target. Three types of documents have been

provided according to three scenarios:

a. **Responsibility agreement** for the laptops signed by parents/ legal tutor and the school recorded in the Escola Digital equipment registration platform
b. **Document extracted** from the Escola Digital equipment registration platform for the registry of equipment when the student is not allowed by the parents to take the computer home but can use it in school and this is recorded in the Escola Digital equipment registration platform.
c. **Lists provided by schools** for cases when data is not recorded in the Escola Digital equipment registration platform, signed by the school director.

The authorities also provided:

iv. **Technical specifications** for the contract launched for the laptops and other equipment. Published on 2 July 2021 in the official EU journal with Nº 02/CPU/SGEC/2021, link: https://ted.europa.eu/udl?uri=TED:NOTICE:331264-2021:TEXT:PT:HTML
v. **Declaration by the Director General of Schooling Establishments** of 13 October 2023 explaining how the Escola Digital equipment registration platform works.
vi. **Law No. 9/79 of 19 March** (published in Portugal's Official Journal *Diário da República* first series No. 65 of 19 March 1979, pages 423 to 425) establishing the ground rules for the private and cooperative education.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Laptops to lend to teachers and pupils

The Secretariat-General for Education and Science distributed 600 419 laptops to the schools and leant to students and teachers (above the quantitative indicator of 600 000). The distribution of this equipment has been recorded in a platform managed by the the Secretariat-General for Education and Science, called Escola Digital equipment registration platform. From data extracted from the Escola Digital equipment registration platform, the list of laptops as submitted by the Portuguese authorities includes the serial numbers of laptops that were lent to students and teachers, with a numerical identifier for each piece of equipment. In addition, the list contains information on the school type, the name of the school and whether it was lent to students or teachers.

The laptops were then lent by the schools to students and teachers for their personal use. In case of students, there were two different scenarios:

i. In most cases, the computers were lent to students for their personal use, also outside the school.
ii. In some cases, parents chose not to take responsibility for the equipment provided. For these cases the laptops stayed at school, for the use of the students to whom they were allocated.

The loaning out of the computers may be ascertained from either of two sources:

i. The loaning of the laptops is recorded in the Escola Digital equipment registration platform, where a certificate is retrieved.
ii. Some schools decided not to record the loaning of the laptops in the Escola Digital equipment registration platform to simplify procedures. In these cases, the loaning of the laptops was confirmed by a declaration from the school director. Even in these cases, the Escola Digital equipment registration platform has on record the equipment and the school it was delivered to and the data appears on the list provided (see list of laptops).

The combination of the above two scenarios and the two sources of information resulted in three different pieces of available evidence to prove that the laptops were lent to students and teachers:

i. Responsibility agreement for the laptops signed by parents or legal tutor when the laptop is used also outside the school and the school recorded in the Escola Digital equipment registration platform (see evidence iii. a).

ii. Document extracted from the Escola Digital equipment registration platform for the registry of equipment when the student is not allowed by the parents to take the computer home but can use it in school and this is recorded in the Escola Digital equipment registration platform (see evidence iii b).
iii. Lists provided by schools for cases when data is not recorded in the Escola Digital equipment registration platform (see evidence iii c).

The document extracted from the Escola Digital equipment registration platform was accompanied by the Declaration of the Director General of Schooling Establishments, which is an entity independent from the managing entity, the Secretariat-General for Education and Science, explaining that only when the laptops are available for the students or teachers can these documents be generated in the Escola Digital equipment registration platform.

The documents provided for the sampling exercise by Portugal, that is; responsibility agreements, the documents extracted from the Escola Digital equipment registration platform together with the declaration by the Director General of Schooling Establishments and the lists provided by schools, proved that the 228 computers were lent to students and teachers. The analysis of the above evidence confirmed that the equipment in the list of laptops was lent to students or teachers. The initial sample contained 60 units, which were assessed by the Commission. The result of this first assessment determined that an extended sample of 228 units was required, as there was one laptop with missing evidence to prove that it was lent out and this called for additional verification.

…in primary and secondary public schools
The list of laptops included information for it and the sample also confirmed that laptops were lent both in the primary and secondary school students and teachers as listed in the list of laptops.
The Portuguese public education system includes public schools and private schools linked to the public network. Where there is no public school, the State associates private schools in the public network. These private schools organise the classes necessary to integrate all 'public' pupils and are financed by the State through the payment of a flat rate per pupil equal for all schools.
Law No. 9/79, of 19 March, as amended, establishes the ground rules for the private and cooperative education. According to its article 8(4), the public pupils in these establishments receive the same treatment as the public pupils in public schools when it comes to enrolment fees and rules.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 20.10	Related Measure: TD-C20- i02-RAA: Digital education (Azores)		
Name of the Target: Massive open online courses for teachers and parents in the ARA			
Quantitative Indicator: Number	**Baseline:** 0	**Target: 4**	**Time:** Q4 2022

Context:
The objective of the investment is to give the educational community (students, parents and teachers), in the Autonomous Region of the Azores, access to digital technologies and to provide them with the digital skills necessary to use the technologies. In addition, the investment aims to promote equal opportunities and significant improvements in the means of learning.

Target 20.10 requires the creation of four Massive Open Online Courses (MOOCs), which aim at promoting the development of digital skills for classroom education and distance learning. This also includes the provision of tutorials and a Digital Competence Procurement Portal. All the MOOCs need to be available online and accessible free of charge to teachers and students' parents.

Target 20.10 is the first step of the implementation of the investment, and it will be followed by target 20.13, which requires additional 20 MOOCs to be created, bringing the total number up to 24.

Milestone 20.12 and target 20.11 are also a part of this investment, and they both relate to the provision of digital equipment and digital educational resources in schools. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was satisfactorily fulfilled.

ii) **Certificate of works completion**, signed by the contractor, NTT Data Portugal, S.A, and the competent authority, Regional Secretariat for Education and Cultural Affairs, on 18 September 2023, demonstrating that the Massive Open Online Courses have been completed and are operational.

iii) **Description of the content of each of the courses**

The authorities also provided:

iv) **Generated username and password** for the Commission to access the Digital competence procurement portal and the MOOCs at https://moocs.edu.azores.gov.pt/app/.

v) **Official declaration signed by the regional director for education** on 4 April 2023, stating that MOOCs are free of charge and available online

vi) **Official declaration by the contractor**, signed on 15 September 2023, **stating that the Digital competence Procurement Portal has been made available online** on 22 December 2022

vii) **Links to online news and the export of the webpage about the availability of courses,** published on the website of the Azores Government on 3 April 2023

viii) **Print-screens of the MOOCs and the Digital competence Procurement Portal,** showing the contents of the courses and attesting they are online

ix) **Videos of the tutorials** on how to use different digital and online tools. Eight videos were provided on: Excel, OneDrive, OneNote, Outlook Calendar, Outlook, PowerPoint, Teams, and Word.

Analysis:

The justification and substantiating evidence provided by the Portugal authorities covers all constitutive elements of the target.

Number of massive open online courses (MOOCs) created to promote the development of digital skills for classroom education and distance learning

The following four (as required by the quantitative indicator) MOOCs were created: i) Digital Tools and Online Security; ii) Innovation and Design Thinking; iii) Digital email, video call and information storage tools; and iv) Social media – hazards and care to be taken in their use (for such MOOCs the Portuguese authorities provided the certificate of works completion, annex ii). As per the certificate of works completion, the first two are dedicated to teachers, and the last two to parents of the students. The certificate of works completion, the description of the content per course, the print-screens of the MOOCs and the Digital competence Procurement Portal, along with the generated username and password used at the relevant hyperlink to access the MOOCs online, demonstrate that the four MOOCs were created, are operational and available to teachers and students' parents.

The four MOOCs listed above promote the development of digital skills. This contributes towards the improvement of teachers' digital skills, which in turn contributes to their professional development, to better adaptability in terms of constantly evolving digital environment, and to upgrade and update traditional teaching methods. This is reflected in classroom education, as well as distance learning as both are essential elements of the current teaching methods. The MOOCs also contribute towards improving the digital skills of students' parents, thereby enabling them to have a better understanding of the teaching environment, as well as other important matters/tools for their or their child's use, such as social media. The description of the content of each of the courses was also provided.

…including the provision of tutorials

Tutorials were made available to guide teachers and students' parents through the steps on how to manage different tools or perform various actions within them. Eight tutorials were developed on the use of following tools: Excel, OneDrive, OneNote, Outlook Calendar, Outlook, PowerPoint, Teams, and Word. The videos of tutorials were provided as evidence. In addition,, the generated username and password used at the relevant hyperlink to access the Digital Competence procurement portal and the MOOCs online, demonstrate that the tutorials were created, are operational and available to teachers and students' parents. As explained in the summary document, the tutorials are incorporated, in the relevant MOOCs, which are, as explained in the last requirement of this section, indeed online and accessible free of charge for both teachers and parents.

…and a Digital Competence Procurement Portal.

The official declaration by the contractor states that the Digital Competence Procurement Portal (the Portal) was created and has been available online since 22 December 2022. The generated username and password used at the relevant hyperlink show that the digital competence procurement portal is online, accessible, and dedicated to online training. As per the summary document, the portal comprises of: i) access profiles for trainees, trainers and training managers, with guarantees of confidentiality and individual authentication; ii) training management, such as the creation and management of courses/catalogues/indicators and training history; iii) disk space for the allocation of teaching materials and content; and iv) exchange of messages in a virtual room, download and upload of documents, and discussion forums. Print-screens of the MOOCs and the Digital competence Procurement Portal show that the MOOCs are embedded into the Portal.

The MOOCs are available online and freely accessible to teachers and parents

The official declaration signed by the regional director of the regional government of the Autonomous Region of the Azores states that the MOOCs are available to teachers and parents free of charge and it also provides the hyperlink to the courses. Links to online news and the export of the webpage about the availability of courses also show that the courses are available and free of charge.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 20.14	Related Measure: TD-C20-i03-RAM: Programme for Accelerating the Digitalisation of Education in RAM		
Name of the Target: Digital manuals for pupils in the 2nd and 3rd cycle and secondary students			
Quantitative Indicator: Number	**Baseline: 0**	**Target: 5120**	**Time:** Q4 2022

Context:

The objective of the investment is to accelerate the digitalisation of education in Madeira by ensuring access for students, teachers and other professionals to the necessary tools, such as laptops and computers, software and digital textbooks.

Target 20.14 requires that 5120 students in 2nd and 3rd cycle of education in Madeira to have access to digital kits. Digital kits are composed of laptops and tablets, software and digital manuals.

Target 20.14 is the first step of the implementation of the investment and it will be followed by targets 20.15, 20.16, 20.17 and milestone 20.18 related to other actions in the digitalisation of schools in Madeira. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i. **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.
ii. **List of pupils** in the 2nd and 3rd cycle of primary and secondary education who during the 2022/2023 school year had access to and used the digital manual kit in the Autonomous Region of Madeira.
iii. In the context of the sampling analysis, supporting documents were provided for the list of 60

samples for further verification of the target:

a. **Terms of responsibility** for laptops or tablets, signed by a parent or legal guardian of the student.
b. **School regulation** from each school establishing terms of use for laptops and tablets, including a reference to the digital manuals and access to the digital education platform.
c. **Minutes of school assemblies** approving the school regulations for school year 2022/23 for each school establishing the terms of use for laptops and tablets.

The authorities also provided:

iv. **Report by expert researchers** of June 2023, which evaluates the implementation of the Digital School Project in Madeira.
v. **Order No. 382/2022** of the Regional Secretary of Science, Technology and Education of 27 October, published in the Official Journal of Madeira number 202, Annex to the Second Series, page 2, establishing procedures of primary and secondary education for the implementation of the Digital Manuals Project.
vi. **Description by Regional Secretariat of Education, Science and Technology** of the content, licenses and security of the Digital Manuals Kits delivered to students, signed by the Regional Director for Education on 13 November 2023.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Number of pupils in the 2nd and 3rd cycle of primary and secondary education who during the school year had access to and used the digital manual kit in the ARM.

The Regional Secretariate for Education, Science and Technology of Madeira has been in charge of the implementation of the Digital Manuals Project as described in Order No. 382/2022. The list of pupils (see evidence ii) includes 8798 students who, during the academic year 2022/2023 had access to digital manual kits in the 2nd and 3rd cycle of primary and secondary education in the Autonomous Region of Madeira (ARM), well exceeding the target (of 5120) in the Council Implementing Decision. The list of pupils provides information on the students that had access to the digital manuals, including the year of schooling of the students and the name of the school.

The evidence provided for a sample of 60 units confirmed the requirement that the students in Madeira from the respective schooling years had access to digital manual kits.

The evidence sampled the terms of responsibility issued by the schools when handing out the laptops or tablets each of which are signed by the parent(s) of the pupil receiving the equipment. A tablet was given in the case of primary education students and a laptop in the case of secondary education as has been described in the list of pupils (see list of pupils) and verified during the sampling exercise.

To account for the other two elements of the kit, the digital manuals and access to the digital education platform, some terms of responsibility included direct references to these other elements. Other terms of reference referred to the digital manuals and access to the digital education platform indirectly by citing the school regulation from the relevant school establishing the terms of use for laptops and tablets. These school regulations establishing the terms of use of laptops or tablets then, in turn, reference the other two elements of the kit aside from the equipment, namely the access to digital manuals and the access to the Virtual School platform. The documents assessed were therefore:

a. Terms of responsibility for laptops or tablets (depending on school year), signed by the parents or legal guardian of the student for the school year 2022/20233.
b. School regulation from each school establishing terms of use for laptops and/or tablets, including a reference to the digital manuals and digital education platform.
c. Minutes of school assemblies from the schools approving the regulations for laptops and tablets, demonstrating these regulations were in place for the schoolyear 2022/2023.

After reviewing the evidence from the 60 sampled units, the exercise resulted in a positive assessment.

Furthermore, in line with the description of the measure, **within the project of the 'Digital Manuals'** [the investment] **aims at providing multiple digital educational resources in different formats and different typologies (animations, simulations, three-dimensional videos or other), providing equipment (tablets or laptops, depending on the year of schooling) and access to digital textbooks…**
The digital manual kit includes firstly a laptop or tablet made available to the students. The equipment is then complemented by several software tools and licensing software, with the main aim of granting students access to several digital educational contents, including digital textbooks and the educational digital platform Escola Virtual. This educational content uses modern digital formats like animations, simulations, videos, as exemplified in the description by the Regional Secretariat of Education, Science and Technology of the content, licenses and security of the Digital Manuals Kits delivered to students.
Additionally, the report by expert researchers, which evaluates the implementation of the Digital School Project in Madeira (which also includes the 'Digital Manuals' project) details the various audio-visual support, including material like simulations and animations, that have been made available to the students in the context of this project (section 1.2, page 20 of the report by expert researchers of June 2023).
…to ensure that the educational community (pupils, teachers, senior education technicians, technical assistance technicians, education providers) has secure access to the content available through the digitalisation of education.
The report by expert researchers explains in its Sections 4.3, 4.4 and 4.5 (pages 59 to 89) that the various members of the educational community have secure access to the content available, for instance through the training received for this project (see page 65). Additionally, the document by the Regional Secretariat of Education, Science and Technology, describing the of content, licenses and security of the Digital Manuals Kits explains, among other elements, the security and licensing features that have been installed in the equipment provided. For example, the content filters that are selected for the laptops and tablets in the different cycles of education, or the firewalls installed to protect the system.
Furthermore, in line with the description of the measure**, it shall include, for all pupils** […]**: 1 tablet or laptop, depending on the year of schooling, 1 Virtual School Access Licence valid for each school year; 1 Personal and non-transferable licence of the digital version of each school manual adopted for schooling.**
As explained above and as also ascertained by the sample, 8798 pupils in the academic year 2022/2023 made use of the digital kit containing one laptop or one tablet, depending on the year of schooling.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 22.1	Related Measure: RE-C22-r49: Arrangements for monitoring and implementation of the Recovery and Resilience Plan

Name of the Milestone: Amendment of the financing contracts between the EMRP and the Implementing Bodies to include the obligation to perform a Fraud Risk Assessment

Qualitative Indicator: Amended contracts	**Time:** Q3 2023

Context:
The objective of the reform is to improve the monitoring and implementation system of the Portuguese Recovery and Resilience Plan.
Milestone 22.1 concerns amendments of the financing contracts between the coordinating body (EMRP) and the implementing bodies requiring the latter to perform a fraud risk assessment.
Milestone 22.1 is the first step of the implementation the reform, and it will be followed by milestone 22.2, related to the introduction of cross-checks for double funding, part of the same payment

request. The reform has a final expected date for implementation in Q3 2023.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.

ii) **120 amendments to the financing contracts** signed between the coordinating body Estrutura de Missão Recuperar Portugal (EMRP) and all implementing bodies, obliging the implementing bodies to perform a fraud risk assessment within three months of the signature of the amendments.

iii) **Revised Manual of Procedures from EMPR,** of 25 October 2023**,** including the modification of Chapter XV on Fraud Risk Assessment.

iv) **Communication dated 22 September 2023** from EMRP to direct and intermediary beneficiaries regarding the obligation to carry out a fraud risk assessment.

The authorities also provided:

v) **Extract from the IT system 'SGI'** from 25 September 2023, proving the sending of the Communication dated 22 September 2023 to all beneficiaries.

vi) **Technical Guidance 14/2023** entitled 'Fraud risk assessment and effective and proportionate anti-fraud measures', approved by EMRP on 22 September 2023.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

The Coordinating Body 'EMRP' shall amend the contracts signed with all the authorities responsible for the implementation of the RRP to add a legal obligation for the implementing bodies to perform a fraud risk assessment within three months of the amendment of their contracts and, where the fraud risk assessment identifies risks that are not addressed by the existing controls, to develop an action plan containing additional controls.

The EMRP provided 120 amendments to the financing contract covering all its implementing bodies. The signatures can be found on page 3 of the amendments.

The amendments were done to change Clause 9 of the original financing agreements by introducing points 3, 4 and 5. Point 3 of Clause 9 of the amendments introduces a legal obligation for the implementing bodies to perform a fraud risk assessment within three months of the signature of the amendment of their contracts. Point 4 of Clause 9 of the amendments introduces a legal obligation for them to develop an action plan containing additional controls where the fraud risk assessment identifies risks that are not addressed by the existing controls. Point 5 of Clause 9 of the amendments demands that the implementing bodies send the produced documents to the coordinating body.

This obligation shall be reflected in the Coordinating Body's manual of procedures.

Chapter XV, page 147 of the Revised Manual of Procedures of EMRP (the Coordinating Body) includes the obligation of Implementing Bodies to perform a fraud risk assessment under the conditions set in the signed amendments.

The Coordinating Body shall also formally communicate to all implementing bodies a technical guidance to support them in the performance of the fraud risk assessment.

The EMRP issued the Technical Guidance 14/2023 'Fraud risk assessment and effective and proportionate anti-fraud measures' and formally communicated the obligation to perform a fraud risk assessment on 22 September 2023 to all implementing bodies (as per the Communication dated 22 September 2023). The extract from the IT system 'SGI' from 25 September 2023 proves the sending of the Communication dated 22 September 2023 to all beneficiaries.

The Technical Guidance 14/2023 was issued to support the implementing bodies in the performance of the fraud risk assessment (as per pages 6 to 8, section 'executive summary'), and includes guidance on the assessment of the fraud risk (section 3) and on antifraud policies (section 4).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 22.2	Related Measure: RE-C22-r49: Arrangements for monitoring and implementation of the Recovery and Resilience Plan
Name of the Milestone: Introduction of cross-checks for double funding	
Qualitative Indicator: Implementation of adequate procedures	**Time:** Q3 2023

Context:

The measure aims to improve the monitoring and implementation system of the Portuguese Recovery and Resilience Plan. It requires that the Portuguese authorities implement effective anti-fraud and anti-corruption measures and measures to mitigate the risk of double funding.

Milestone 22.2 concerns the introduction of *ex-ante* cross-check procedures on applications.

Milestone 22.2 is the second and last milestone of the reform, and it follows milestone 22.1, related to signed amendments of the financing contracts between the coordinating body (EMRP) and the implementing bodies requiring the latter to perform a fraud risk assessment.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was satisfactorily fulfilled.

ii) **Revised Manual of Procedures** of the coordinating body Estrutura de Missão Recuperar Portugal, (EMRP), 5th edition, version 3 from 20/11/2023.

iii) **Evidence of the implementation of the double funding checks** demonstrating that checks on double funding have been conducted, including:

   a) **Questionnaire on double funding** filled out by the final recipients.

   b) **Updated verification checklist** filled out by the implementing bodies with the double funding cross-checks on the declarations by the final recipients against reliable databases.

The authorities also provided:

iv) **Memorandum of Institutional Collaboration** on the prevention and mitigation of double financing, in particular in the area of systematic analysis and cross-checks, signed by the implementing bodies.

v) **Technical Guidance** on mitigating the risk of double funding (Orientação Técnica 11/2023), by the EMRP.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

The Portuguese authorities shall improve and implement adequate procedures to lower or mitigate the risk of double funding by introducing effective systematic cross-checks on applications for potential funding within the RRF and between the RRF and other Union programmes, in accordance with the principle of sound financial management.

After receiving the Questionnaire on double funding filled in by their final recipients on the types and sources of EU funding, the implementing bodies perform *ex-ante* double funding cross-checks on this information against reliable data sources (Annex 8 of the Revised EMRP Manual of Procedures). In this sense, the EMRP provided as evidence of implementation the Updated verification checklist filled in by the implementing bodies together with the proof of the database

that was consulted.

Finally, the Portuguese authorities have presented a Memorandum of Institutional Collaboration signed by all managing authorities of EU funds. Once the memorandum is fully implemented, information on the existence of operations under other EU funding sources (PT 2020, PT 2030 and FAMI 2030 and PEPAC) will be available in the Portuguese RRP information system (SIPRR). Although the signature of this memorandum was not considered for the satisfactory fulfilment of the milestone, once implemented, it will allow future additional *ex-ante* checks to be performed by the EMRP before every request of payment from the implementing bodies, and systematic checks which will be performed by the EMRP every 6 months. The EMRP also approved and disseminated a Technical guidance on avoidance of double funding to the implementing bodies.

Furthermore, in line with the description of the measure, **the Coordinating Body shall present a document describing the proposed detailed cross-checks on double funding to confirm that adequate procedures to avoid double funding are in place.**
These procedures implemented to avoid double funding are described in the Revised Manual of Procedures.

Commission Preliminary Assessment: Satisfactorily fulfilled.

Non-repayable support – Fourth instalment

Number: 1.1	Related Measure: RE-C01-r01: Primary health care reform
Name of the Milestone: Entry into force of legal acts in the field of primary health care	
Quantitative Indicator: Entry into force of the revised legal acts	**Time:** Q2 2023

Context:
The objective of the reform is to reinforce the core role of primary health care services in responding to the health needs of the population.
Milestone 1.1 requires the entry into force of legal acts in the field of primary health care.
Milestone 1.1 is the second step in the implementation of the reform, with the first step being enshrined in target 1.3, related to the transfer of responsibilities to municipalities. Milestone 1.1 will be followed by target 1.2, related to the risk stratification instrument to support clinical governance. The reform has a final expected date for implementation in Q4 2023.

Evidence provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
ii) **Decree-Law No. 52/2022** of 4 August 2022 (published in Portugal's Official Journal, 'Diário da República', No. 150/2022, first series of 04.08.2022, pages 5-52), which approves the new regime for the health centre groups and the statutes of the National Health System.
iii) **Decree-Law No. 103/2023** of 7 November 2023 (published in Portugal's Official Journal, 'Diário da República', No. 215/2023, first series of 07.11.2023, pages 21-48), which establishes the new regime of family health units.
iv) **Government Order No. 411-A/2023** of 5 December 2023 (published in Portugal's Official Journal, 'Diário da República', No. 234/2023, first supplement, first series of 05.12.2023, pages 2-11) which establishes the criteria to award financial incentives based on team performance and the so-called 'institutional incentives.
v) **Order No. 12456-B/2023** of the Minister of Health of 5 December 2023 (published in Portugal's Official Journal, 'Diário da República', No. 234/2023, first supplement, second series of 05.12.2023, pages 4-10), which establishes the list of basic and additional services of the health family units.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Revision of legal acts in the field of primary health care, namely: i) the legislation underpinning the functional units of primary health care centres

Portugal adopted Decree-Law No. 52/2022 which introduced a new regime for health centre groups and its operational functional units. Article 38 of Decree-Law No. 52/2022 establishes the main activities and sets the rules to create each of the five functional units of primary care: family health unit; personalised healthcare unit; community care unit; public health unit; and shared assistance resources unit. Articles 39 to Article 42 set their main management rules. Decree-Law No. 52/2022 was published in Portugal's Official Journal, 'Diário da República' on 4 August 2022 and entered into force one day after its publication (article 106 (1)). The rules of Decree-Law No. 52/2022 start to produce effects with the entry into force of the state budget law of Portugal for 2023 (Law No 24-D/2022 of 30 December), on 1 January 2023 (article 106(2)).

…(including, the Decree-Law No. 73/2017 for Model B family health units,…

Under article 38(3) of Decree-Law No. 52/2022, the family health units have a special regime that shall be established in a different legal act. On 7 November 2023, Portugal published the new special regime of the family health units approved by Decree-Law 103/2023 (article 1(1)(b) and included in its Annex I). This new regime revokes the previous one approved by Decree-Law 298/2007, as amended by the Decree-Law No. 73/2017 for Model B family health units (article 23 of Decree-Law 103/2023). Decree-Law No. 103/2023 entered into force one day after its publication, on 8 November 2023 (article 24(1) but it will only produce effects on 1 January 2024 (article 24(2). The Council Implementing Decision required the entry into force of the legal acts covered by milestone 1.1. Decree-Law No. 103/2023, will produce effects on 1 January 2024. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the entry into force of this law and the actual application of the provisions is considered both limited and proportional, notably the need to align the new regime with the new calendar year which coincides with execution of the annual state budget. Moreover, no other legislative step is necessary for the regime to be implemented. There is therefore certainty regarding its application. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

…the Government Order No. 1368/2007…

Government Order No. 1368/2007 established the portfolio of the basic services provided by family health units, as well as the guiding principles to provide additional services. Government Order No. 1368/2007 was materially revoked by Order No. 12456-B/2023, which established a new portfolio of basic services and new guiding principles and rules to provide additional services. Order No. 12456-B/2023 implements article 6(3) of Decree-Law 103/2023 which establishes that the new portfolio of basic services and the guiding principles to provide additional services shall be established by the Ministry of Health. Order No. 12456-B/2023 entered into force one day after its publication, on 6 December 2023 but it will only produce effects on 1 January 2024 (article 2). The Council Implementing Decision required the entry into force of the legal acts covered by milestone 1.1. Order No. 12456-B/2023 will produce effects on 1 January 2024. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the entry into force of this law and the actual application of the provisions is considered both limited and proportional, notably the need to align the new regime with the new calendar year which coincides with execution of the annual state budget. Moreover, no other legislative step is necessary for Order No. 12456-B/2023 to be implemented. There is therefore certainty regarding its application. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

…the rules and remuneration model of Model B family health units and the associated legal act…

As indicated in article 3(1) of Annex I of Decree-Law 103/2023, family health units may be organised following two models: Model B and Model C. Annex I of Decree-Law No. 103/2023 establishes the mission, guiding principles and action plan of the family health units (articles 4-6), as well as the rules for their constitution, organisation and functioning (articles 7-14), their resources (articles 15-18).

Annex I also establishes the remuneration rules for Model B family health units, which includes: a base pay, supplements and a performance compensation (article 27). These three elements are specified for the three types of health professionals working in family heath units: medical doctors (articles 28 and 29), nurses (articles 30 and 31) and technical assistants (articles 32 and 33). Within the compensation for performance, there are two types of compensation: one based on individual performance and another on the team performance. Whilst the criteria to award a compensation based on individual performance are established in Annex I (articles 28(3), 29 (7), and (8), 30(3), 31(4) and (5), 32(3) and 33(4) and (5)), the criteria to award a compensation based on team performance are established in Government Order No. 411-A/2023. Government Order No. 411-A/2023 implements article 34(5) of Annex I of Decree-Law No. 103/2023, which defines the requirement that the criteria and rules to award compensation based on team performance must be set by a government order of the Ministry of Health and Ministry of Finances.

Government Order No. 411-A/2023 also establishes the criteria to award the so-called institutional incentives set in article 35 of Annex I of Decree-Law No. 103/2023. Institutional incentives include training, education and research opportunities, as well as participation in conferences and seminars (article 35).

Government Order No. 411-A/2023 entered into force one day after its publication, on 6 December 2023 but will only produce effects on 1 January 2024 (article 17(1)). The Council Implementing Decision required entry into force of the legal acts covered by milestone 1.1. Government Order No. 411-A/2023 will produce effects on 1 January 2024 (article 17), therefore this regime is not yet in force. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the entry into force of this law and the actual application of the provisions is considered both limited and proportional, notably the need to align the new regime with the new calendar year which coincides with execution of the annual state budget. Moreover, no other legislative step is necessary for Government Order No. 411-A/2023 to be implemented. There is therefore certainty regarding its applicability. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

…and the legal acts underpinning the functioning of other types of primary health care units);…

As mentioned above, the main rules regarding the functioning of other types of primary health care units are established in articles 38 to 42 of Decree-Law No. 52/2022. In addition, Government Order No. 411-A/2023 also establishes the award criteria of institutional incentives for the personalised health care units (not only family health units) in article 2(2).

ii) the legislation underpinning health centre groups (including, the legal acts underpinning health centre groups, namely the Decree-Law No. 28/2008).

Decree-Law No. 52/2022 establishes the rules for the creation, organisation and functioning of health centre groups (chapter III), including the legal nature of health centre groups and their functioning (Articles 33 and 37, respectively), their functional units (section II), the bodies constituting health centre groups (section III), back-up services (section IV), management tools (section V), revenues and expenditures (section VI) and integrated health centres in local health units (section VII). Decree-law No. 52/2022 revokes Decree-Law No. 28/2008 of 22 September (Article 105(c)).

Furthermore, in line with the description of the measure **the reform shall consist of the implementation of several legislative and regulatory measures, with a view to: i) broadening the responsibilities and scope of intervention of health centre groups, as well as the typology of the functional units that compose them; ii) reviewing the legal regime for the organisation and**

functioning of functional units, as well as the scheme of incentives to be granted to the elements that constitute them;.

Decree-Law No. 52/2022 provides health centres groups with competences to intervene in the area of addictive behaviours in addition to the other intervention areas of the previous regime (article 33(2)(d)). Today the health centres groups are qualified as public institutes (not services as before), which provides them with more autonomy and resources (article 33(1)).

As explained above, Decree-Law No. 52/2022 together with Decree-Law No. 103/2023 establish the new regime of the functional units of primary health care. In addition, as explained above, Government Order No. 411-A/2023 establishes the criteria to award financial incentives based on team performance and the so-called 'institutional incentives.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 1.5	Related Measure: RE-C01-r02: Mental health reform

Name of the Milestone: Entry into force of the new Mental Health Law, which shall lay down the principles relating to the rights of people with mental illness and regulate compulsory hospitalisation or treatment

Qualitative Indicator: Entry into force of the new Mental Health Law	**Time:** Q1 2023

Context:

The objective of the reform is to improve mental health in Portugal.

Milestone 1.5 requires the entry into force of the new Mental Health Law regarding the rights of people with mental illness and compulsory hospitalisation treatment.

Milestone 1.5 is the second and last milestone the reform, and it follows the completion of milestone 1.4, related to the entry into force of the new mental health Decree Law which regulates the organisation of the mental health services.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled

ii) **Law No. 35/2023** of 21 July (published in Portugal's Official Journal, *Diário da República* No. 141/2023, first series of 21 July 2023, pages 2-23), which establishes the new regime of Mental Health.

iii) **Report of the Working Group** set up by Government Order No. 6324/2020 of 15 June, of 27 January 2022, signed by the coordinator of the Working Group, which makes a proposal to review the mental health regime.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

The new Mental Health Law shall reflect the proposals for amendments made by the Working Group set up by Government Order No. 6324/2020, of 15 June, as amended by Government Order No. 11485/2020, of 20 November,

On 30 June 2020, a Working Group, established by Government Order No. 6324/2020, of 15 June, as amended by Government Order No. 11485/2020, of 20 November started its work (page 6, point 3 of Report of the Working Group). On 27 January 2022, the Working Group concluded a report with a proposal for a mental health law to amend the old mental health regime (proposed text of the law included as of page 1 of the Report of the Working Group). Law No. 35/2023, establishing the new regime of mental health, entered into force on 20 August 2023, 30 days after its publication, as established in its article 55. Law No. 35/2023 follows on substance the proposed text of the Working

Group, with many sections being even identical with the proposed text in the Report of the Working Group.

...with a view to laying down the principles relating to the rights of people with mental illness

Law No. 35/2023 establishes in its Articles 7 and 8 the rights (and obligations) of all persons who need mental health care, including those subject to a custodial sentence or detention order, or coercive measure (*pena, medida de segurança ou medida de coação*) (article 7(2) of Law No. 35/2023). These rights include, among others:

i) access to health care from prevention to rehabilitation proving services that take into account the patient's social and family environment (article 7(1)(a) of Law No. 35/2023);
ii) right to decide freely, within their capacity, on the treatments that are proposed (article 7(1)(c) of Law No. 35/2023);
iii) being empowered and having their autonomy promoted, in the various aspects of their life, with respect for their will, preferences, independence and privacy (article 7(1)(f) of Law No. 35/2023);
iv) access to hygienic living conditions, food, security, respect and privacy, as well as the possibility to spend time in the open air when institutionalised in inpatient units of local or regional services or other residential structures (article 7(1)(g) of Law No. 35/2023);
v) the right to communicate with the outside world, and to receive visits from family members, friends, companions, health care representatives and representatives for support, when they are in inpatient units of local or regional services or other residential structures (article 7(1)(h) of Law No. 35/2023);
vi) right to vote (article 7(1)(i) of Law No. 35/2023);
vii) right to not be submitted to electroconvulsive therapy or transcranial magnetic stimulation without their consent in writing, except as provided for in the law (article 8 (1)(b); nor to Psychosurgical interventions without their written consent and favourable written opinion of two psychiatrists and a neurosurgeon (article 8(1)(c) of Law No. 35/2023).

…and regulate compulsory hospitalisation or treatment.

Law No. 35/2023 regulates compulsory hospitalisation or treatment in its chapter IV. When it comes to compulsory treatment one of the main principles is that compulsory hospitalisation should be the last resort (article 15 (3) of Law No. 35/2023). Law No. 35/2023 regulates in which conditions compulsory treatment, including hospitalisation, can be imposed (article 15 of Law No. 35/2023); establishes who has legitimacy to request compulsory treatment (article 16 of Law No. 35/2023), the requirements of the request (article 17 of Law No. 35/2023) and the procedure for such request, including the possibility to revise the decision to impose compulsory treatment (articles 18-27 of Law No. 35/2023). Law No. 35/2023 also establishes the procedures for urgent compulsory treatment, including hospitalisation (articles 28 – 33 of Law No. 35/2023). Law No. 35/2023 also introduces a commission to monitor the implementation of the legal aspects of compulsory treatment, including hospitalisation, (articles 38-44 of Law No. 35/2023).

Furthermore, in line with the description of the measure, **the reform shall consist of the review of the current Mental Health Law – which shall establish the general principles of the mental health policy in Portugal and regulate the compulsory internment of people with psychic disorders**.

As explained above, Law No. 35/2023 addresses these requirements.

Furthermore, in line with the description of the measure, [the legislation] **shall incorporate the principles of the United Nations Convention on the Rights of Persons with Disabilities.**

The rights of people in need of mental health care established in Articles 7 and 8 of Law No. 35/2023 reflect the principles of the United Nations Convention on the Rights of Persons with Disabilities, notably the general principles:

i) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons: for example, article 7(1)(f) of Law No. 35/2023 sets

out as a right being empowered and having their autonomy promoted, in the various aspects of their life, with respect for their will, preferences, independence and privacy;

ii) Non-discrimination: for example, article 7(1)(a) of Law No. 35/2023 sets out as a right access to health care from prevention to rehabilitation proving services that take into account the patient's social and family environment;

iii) Full and effective participation and inclusion in society: for example, article 7(1)(i) of Law No. 35/2023 sets out as a right the right to vote.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 5.39	Related Measure: RE-C05-i09: Scale-up: Mobilising Agendas/Alliances for Business Innovation		
Name of the Target: Conclusion of contracts to develop new products, processes or services in relevant strategic areas (Innovation Agendas).			
Quantitative Indicator: Number	**Baseline**: 6	**Target**: 12	**Time:** Q2 2023

Context:

The objective of the investment to strengthen Portugal's scientific and technological capabilities. This goal will be reached via the deployment of ambitious research and innovation agendas based on consortia between business and technological/academic institutions. These agendas shall support the development of several innovative Products, Processes and Services (PPS) in specific fields.

Target 5.39 requires the conclusion of six contracts (innovation pacts or mobilising projects), supporting at least 168 PPS. The contracts shall include the relevant DNSH requirements and information on the entities of each consortium, the amounts of the investment and funding, the objectives of the PPS and monitoring systems in place.

Target 5.39 is the first target under this investment, and it will be followed by target 5.40 related to the completion of the PPS proposed by the consortia. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was satisfactorily fulfilled.

ii) **Competition tender notice No. 02/C05-i01/2021**, published on 31 January 2022 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation), including the DNSH eligibility criteria.

iii) **Contracts (terms of acceptance) with the six consortia,** including the list of projects supported**:**

a) Contract with consortium leader GRAN CRUZ PORTO-SOCIEDADE COMERCIAL DE VINHOS LDA, signed on 19 December 2022, constituting agenda "Vine and Wine Portugal - Driving Sustainable Growth Through Smart Innovation" supporting 30 products, processes or services;

b) Contract with consortium leader INGREDIENT ODYSSEY, S.A., signed on 13 April 2023, constituting agenda "InsectERA" supporting 105 products, processes or services;

c) Contract with consortium leader BOSCH TERMOTECNOLOGIA S.A., signed on 01 June 2023, constituting agenda "ILLIANCE" supporting 9 products, processes or services;

d) Contract with consortium leader MC SHARED SERVICES, S.A., signed on 27 February 2023, constituting agenda "VIIAFOOD - Plataforma de Valorização, Industrialização e Inovação comercial para o AgroAlimentar" supporting 31 products, processes or services;

e) Contract with consortium leader Nau Verde, signed on 9 December 2022, constituting

agenda “Projeto Lusitano - Agenda Mobilizadora para a Inovação Empresarial da Indústria Têxtil e do Vestuário de Portugal” supporting 6 products, processes or services;

f) Contract with consortium leader LXBIO - PHARMACEUTICALS, S.A., signed on 22 July 2022, constituting agenda “Bio-Hub - Plataforma Nacional de I&D, Produção, Comercialização e Distribuição de Biofarmacêuticos Inovadores” supporting 5 products, processes or services;

The authorities also provided:

iii) **Government order No. 43-A/2022** of 19 January, published in Portugal’s Official Journal *Diário da República* No. 13/2022 (first series, pages 2-16), introducing the incentive system “Agendas for Business Innovation”.

iv) **Competition tender notice No. 01/C05-i01/2021**, published on 1 July 2021 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation).

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Conclusion of six additional contracts (innovation pacts or mobilising projects) with consortia [..].

The contracts (terms of acceptance) with the six consortia were signed between 22 July 2022 and 1 June 2023. The contracts were signed on page 4 by the respective leader of the consortium in each contract. In this respect, the terms of acceptance (*Termos de Aceitação*) are ‘standard contractual clauses’ which take the form of a ‘contract of adhesion’ (meaning contracts where one of the parties has limited to no negotiating power) in the Portuguese legal system. Section 2 of competition tender notice No. 02/C05-i01/2021 requires the agendas (Mobilising Agendas for Business Innovation) to take the form of either “Innovation pacts” or “Mobilising projects”. These two types of consortia are defined in Article 2 of the annex to government order No. 43-A/2022.

[..] which shall include: i) Identification of the constituent entities of the consortium; ii) The business plan/investment; iii) the amount of funding; iv) The objectives to which the beneficiary is bound; v) The form of monitoring.

The aforementioned elements are included in the contracts with the six consortia, where:

i) the constituent entities of the consortium are identified and listed in Annex IV to each of the contracts;

ii) the business plan/investment of the consortia is outlined in clause 3 of and Annex III to each of the contracts (reporting the amounts of the overall investment and of the support provided, and how such amounts will be divided between entities and types of investments);

iii) the amount of financing (total support provided by the investment) is included in clause 6 of each contract;

iv) the objectives to which the beneficiaries are bound are defined in Annex V to each of the contracts, outlining the products, processes and services to be developed by the beneficiary entities (consortia);

v) the form of monitoring, to which the beneficiary entities are bound, is outlined in clause 10 of each contract with the six consortia, as well as in Article 20 of the annex to Government Order No. 43-A/2022.

The contracts shall support a total of at least 168 products, processes or services.

As demonstrated by Annex V to each of the contracts (terms of acceptance) signed with the six consortia, which reports the total number of products, processes or services (PPS) supported by the contracts is 186.

Name of consortia leader/agenda	Number of PPS

GRAN CRUZ PORTO - Vine and Wine Portugal	30
INGREDIENT ODYSSEY - InsectERA	105
Bosch - Illiance	9
MC Shared - VIIAFOOD	31
NAU VERDE - Projeto Lusitano	6
LxBio - Bio-Hub	5
Total	**186**

The terms of reference shall include eligibility criteria ensuring that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01), through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.

Competition tender notice No. 02/C05-i01/2021 includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A). Then, in line "e" of section 4, it requires compliance with the relevant EU and national environmental legislation.

The contracts shall be additional to the contracts implemented in RE-C05-i01.01.

The contracts are additional to those in RE-C05-i01.01. They are signed following the same competition tenders but with different consortia (see assessment of target 5.5). More specifically, whereas the six contracts signed for the purpose of target 5.5 were signed with the following consortia: (i) INOV.AM; (ii) CiNTech; (iii) AM2R; (iv) NEURASPACE; (v) GIATEX; and (vi) A-MoVeR, the consortia with which the six contracts under this target 5.39 were signed are (i) Vine and Wine Portugal; (ii) InsectERA; (iii) Illiance; (iv) VIIAFOOD; (v) Projeto Lusitano; and (vi) Bio-Hub.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 5.41	Related Measure: RE-C05-i10- Scale-up: Green Agendas/Alliances for business innovation		
Name of the Target: Conclusion of contracts to develop new products, processes or services in strategic areas relevant to the low-carbon economy, resilience and adaptation to climate change.			
Quantitative Indicator: Number	**Baseline:** 4	**Target:** 10	**Time:** Q2 2023

Context:

The objective of the investment is to strengthen Portugal's scientific and technological capabilities via the deployment of ambitious research and innovation agendas, focused on the green transition, based on consortia between business and technological/academic institutions. These agendas shall support the development of a number of innovative products, processes and services (PPS) in specific fields.

Target 5.41 requires the conclusion of six contracts (innovation pacts or mobilising projects), which shall support at least 98 PPS. The terms of reference shall include eligibility criteria that ensure that the selected projects comply with the DNSH Technical Guidance, and the contracts shall include information on the entities of each consortium, the amounts of the investment and funding, the objectives of the PPS and monitoring systems in place.

Target 5.41 is the first of two targets under this investment, and it will be followed by target 5.42 related to the completion of the PPS proposed by the consortia. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was

satisfactorily fulfilled.

ii) **Competition tender notice No. 02/C05-i01/2021**, published on 31 January 2022 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation), including the DNSH eligibility criteria.

iii) **Competition tender notice No. 01/C05-i01/2021**, published on 1 July 2021 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation), requiring "Green agendas" to align with intervention field 022.

iv) **Contracts (terms of acceptance) with the six consortia,** including the list of projects supported**:**

  i. Contract with consortium leader ALTRI FLORESTAL, S.A., signed on 22 December 2022, constituting agenda "Transform - Transformação digital do setor florestal para uma economia resiliente e hipocarbónica" supporting 11 products, processes or services;
  ii. Contract with consortium leader LOGOPLASTE INNOVATION LAB, signed on 24 January 2023, constituting agenda "SUSTAINABLE PLASTICS - Agenda Mobilizadora para os Plásticos Sustentáveis" supporting 14 products, processes or services;
  iii. Contract with consortium leader VANGEST - ENGENHARIA FINANCEIRA E GESTÃO S.A. , signed on 13 April 2023, constituting agenda "Embalagem do Futuro | + ECOLÓGICA + DIGITAL + INCLUSIVA" supporting 18 products, processes or services;
  iv. Contract with consortium leader MEDWAY - MAINTENANCE & REPAIR, S.A., signed on 30 March 2023, constituting agenda "SMART WAGONS - DESENVOLVIMENTO DE CAPACIDADE PRODUTIVA EM PORTUGAL DE VAGÕES INTELIGENTES PARA MERCADORIAS" supporting 9 products, processes or services;
  v. Contract with consortium leader UNBABEL UNIPESSOAL, LDA, signed on 28 March 2023, constituting agenda "Center for Responsible AI" supporting 21 products, processes or services;
  vi. Contract with consortium leader PESTANA MANAGEMENT - SERVIÇOS DE GESTÃO S.A., signed on 10 March 2023, constituting agenda "Agenda Acelerar e Transformar o Turismo" supporting 31 products, processes or services;

The authorities also provided:

v) **Government order No. 43-A/2022** of 19 January, published in Portugal's Official Journal *Diário da República* No. 13/2022 (first series of 19 January 2022, pages 2-16), introducing the incentive system "Agendas for Business Innovation".

vi) **Explanations of compliance with intervention field 022**, by the consortia (six documents, one per consortium);

vii) **Assessments of the evaluating authority** (six documents, one per consortium), reporting the scores received by each consortia in each selection criteria;

Analysis:

The justification and substantiating evidence provided by the Portugal authorities covers all constitutive elements of the target.

Conclusion of six additional contracts (innovation pacts or mobilising projects) with consortia [..].

The contracts (terms of acceptance) with the six consortia were signed between December 2022 and April 2023. The contracts were signed on page 4 by the respective leader of the consortium in each contract. In this respect, the terms of acceptance ('Termos de Aceitação') are 'standard contractual clauses' which take the form of a 'contract of adhesion' (which is to say, contracts where one of the parties has limited to no negotiating power) in the Portuguese legal system. Section 2 of competition tender notice No. 02/C05-i01/2021 requires the agendas to take the form of either "Innovation pacts" or "Mobilising projects". These two types of consortia are defined in Article 2 of the annex to Government Order No. 43-A/2022.

Which [the contracts] shall include: i) Identification of the constituent entities of the consortium; ii)

The business plan/investment; iii) the amount of funding; iv) The objectives to which the beneficiary is bound; v) The form of monitoring.

The aforementioned elements are included in the contracts (terms of acceptance) with the six consortia, where:

i) the constituent entities of the consortium are identified and listed in Annex IV to each of the contracts;
ii) the business plan/investment of the consortia is outlined in clause 3 of and Annex III to each of the contracts (reporting the amounts of the overall investment and of the support provided, and how such amounts will be divided between entities and types of investments);
iii) the amount of funding (total support provided by the investment) is included in clause 6 of each of the contracts;
iv) the objectives to which the beneficiaries are bound are defined in annex V of each of the contracts, outlining the products, processes and services to be developed by the beneficiary entities (consortia);
v) the form of monitoring, to which the beneficiary entities are bound, is outlined in clause 10 of each contract with the six consortia, as well as in Article 20 of the annex to Government Order No. 43-A/2022.

The contracts shall support a total of at least 98 products, processes or services~~,~~

As demonstrated by Annex V of each of the contracts (terms of acceptance) signed with the six consortia, which reports that the number of contracted products, processes or services (PPS) supported by the contracts is 104.

Name of consortia leader/agenda	**Number of PPS**
Logoplaste - Sustainable Plastic	14
VANGEST - Embalagem do futuro	18
MedWay - Smart Wagons	9
UNBABEL - AI	21
Pestana - Turismo	31
ALTRI - Transform	11
Total	**104**

[The contracts] shall reflect alignment with intervention field 022 (Research and innovation processes, technology transfer and cooperation between companies with a focus on the low-carbon economy and resilience and adaptation to climate change).

The six contracts with the consortia, as in their first paragraph they require each of the consortia to comply with the conditions of the competition tender notice No. 02/C05-i01/2021. Points “a” and “b” of section 4 of competition tender notice No. 02/C05-i01/2021 require the consortia to comply with the conditions of the initial competition tender notice No. 01/C05-i01/2021. The first section (“enquadramento”) of competition tender notice No. 01/C05-i01/2021 requires all green agendas to be in close alignment with intervention field 022. The consortia under this investment are classified as “Green Agendas”, as specified in Annex I (Parecer de Análise) to the six contracts with the consortia.

Further evidence on the alignment with intervention field 022 is provided through the six assessments of the evaluating authority (Agenda Coordination Committee, composed as per section 8 of competition tender notice No. 02/C05-i01/2021), evaluating the plans proposed by the consortia for the first competition tender. Each plan was examined also in terms of “*Project contribution to carbon neutrality and energy resilience”,* which is an important aspect for projects under intervention field 022 (beyond R&D and technology transfer, which the agendas, by definition represent). The selected six consortia comply with intervention field 022 as they scored 5.00 (the highest score) in the field

"Project contribution to carbon neutrality and energy resilience" (point "F." of section 7 of the competition tender notice No. 02/C05-i01/2021), which shows alignment with intervention field 022. An additional justification for the alignment is provided in the four explanations of compliance with intervention field 022, provided by the consortia, which also outline the climate contribution of each agenda and how they align with intervention field 022.

The terms of reference shall include eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.
Competition tender notice No. 02/C05-i01/2021 includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A). Then, in line "e" of section 4, it requires compliance with the relevant EU and national environmental legislation.

The contracts shall be additional to the contracts implemented in RE-C05-i01.02.
The contracts are additional to those in RE-C05-i01.02, as they are signed following the same competition tenders but with different consortia (see assessment of target 5.7). More specifically, whereas the four contracts signed for the purpose of target 5.7 were signed with the following consortia: (i) GreenAuto; (ii) BE.Neutral; (iii) Hi-rEV and (iv) SinesH2GValley, the consortia with which the six contracts under this target 5.41 were signed are (i) Sustainable Plastic; (ii) Embalagem do future; (iii) Smart Wagons; (iv) Center for Responsible AI; (v) Turismo; and (vi) Transform.

Furthermore, in line with the description of the measure, **in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: i) activities related to fossil fuels, including downstream use; ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and iv) activities where the long-term disposal of waste may cause harm to the environment." As well as the requirement that: "The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.**
Competition tender notice No. 02/C05-i01/2021 includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 6.16	Related Measure: RE-C06-r17: Agenda for the promotion of decent work
Name of the Milestone: Entry into force of the law regulating platform work	
Qualitative Indicator: Entry into force of the law regulating platform work	**Time:** Q1 2023

Context:
The objective of the reform is to expand on the measures adopted in recent years, including those aimed at tackling labour market segmentation and promoting collective bargaining, in order to safeguard labour rights.
Milestone 6.16 concerns the entry into force of the law to regulate platform work in line with the principles of the European Pillar of Social Rights.
Milestone 6.16 is the only milestone under this measure.

Evidence provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Law No. 13/2023,** of 3 March (published in Portugal's Official Journal, *Diário da República* No. 66/2023, first series, of 3 March 2023, pages 2 to 85), which amends the Labour Code, introducing provisions regulating work on digital platforms.

ii) **Report** demonstrating and explaining the implementation of the requirements of this milestone, written by the Strategy and Planning Office of the Ministry of Labour, Solidarity and Social Security, of 19 September 2023.

The authorities also provided:

iii) **Green Book on the Future of Work**, March 2022 Edition, which provided a reflection on the future of work and its challenges published by the Strategy and Planning Office of the Ministry of Labour, Solidarity and Social Security.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Entry into force of the law to regulate platform work

Law No. 13/2023, which amends the Labour Code, regulates in particular, platform work (in its Article 12-A). Law No. 13/2023 entered into force on 1 May 2023 according to its Article 37.

…in order to address the new challenges created by atypical labour relations

The Green Book on the Future of Work identifies a multitude of challenges to the future of work and, in particular, atypical work relationships, namely, the prevalence of extreme flexibility, individualization, atypicality and fragmentation in work relationships, based on the functioning of algorithms, together with the distance and spatial dispersion of activities (page 66 of the Green Book on the Future of Work). To address some of these challenges, Article 12-A of Law No. 13/2023 extends the presumption of an employment contract to the relationship between a service provider and a digital platform. In this way, Law No. 13/2023 brings clarity and certainty to these relations making them no more atypical, but instead, qualifying them as labour contracts (Article 12-A) as long as the conditions for the presumption apply. This presumption is made if certain characteristics are present, namely if the digital platform: i) sets the remuneration for the work carried out or establishes maximum and minimum limits for it; ii) exercises management power iii) controls and supervises the provision of the activity iv) restricts the autonomy of the activity provider regarding the organization of work v) exercises labour powers over the activity provider vi) is the holder of equipment and work instruments used. In addition, Law No. 13/2023 establishes that a digital platform may not discriminate between the service provider that has a direct relation with the platform (an employee) and a 'true' intermediary when it comes to the terms and conditions to access the platform (Article 12-A(7) of Law No. 13/2023).

Law No. 13/2023 follows the publication of the Green Book on the Future of Work. The Green Book, prepared under the political guidance of the Deputy Secretary of State for Labour and Vocational Training and edited by the Strategy and Planning Office of the Ministry of Labour, Solidarity and Social Security, reflects on the challenges and opportunities concerning the future of work, including the growth of digital platforms and advancements in artificial intelligence, and the emergence of algorithmic management (pages 66 to 71, and 76 to 83 of the Green Book on the Future of Work). In this context, the Green Book proposes strategies for optimising the potential of emerging modes of employment relationships. It recommends that future public policies should: regulate platform work and ensure the existence of an adequate contributory and tax framework, create a presumption of employment contracts between platforms and service providers, guarantee social protections of independent workers, regulate the use of algorithms, create a minimum body of rights applicable to all workers that operate with digital platforms (pages 172 and 173 of the Green Book).

Moreover, the changes to the Labour Code brought by Law No. 13/2023 address the challenges that arise from algorithmic management. Law No. 13/2023 obliges digital platforms to notify their employees whenever rules and instructions related to access to and maintenance of employment,

working conditions, profiling and monitoring of professional activity are based on algorithms or artificial intelligence systems (Article 106, paragraph 1, point s of Law No. 13/2023). Workers' committees and trade union representatives have also the right to be informed (Article 424, paragraph 1, point j) and Article 466, paragraph 1, point d) of Law No. 13/2023). Lastly, Law No. 13/2023 establishes that rules related to the use of algorithms or artificial intelligence in instruments of collective regulation may only prevail over the employment contract when they introduce a more favourable regime to the employee (Article 3, paragraph 3, point o) of Law No. 13/2023).

…in accordance with the principles of the European Pillar of Social Rights

Law No. 13/2023 follows the principles of the European Pillar of Social Rights. In particular, Principle 5 of the European Pillar of Social Rights - Secure and adaptable employment, that specifically states that "employment relationships that lead to precarious working conditions shall be prevented, including by prohibiting abuse of atypical contracts". Law No. 13/2023 follows this principle when it extends the presumption of a labour contract (with all its protections and guarantees) to the service provider of the digital platform (Article 12-A of Law No. 13/2023). By extending the employment contract regime to the relationship between the service provider and the digital platform, Law No. 13/2023 also implements the other principles of the European Pillar of Social Rights generally enshrined in a labour regime. In this sense Law No. 13/2023 establishes rights in accordance with the following principles of the European Pillar of Social Rights:

i) Principle 6- Wages, states that workers "have the right to fair wages that provide for a decent standard of living", and "in-work poverty shall be prevented". The extension of the presumption of an employment relation under Article 12-A of Law No. 13/2023 confers the right of receiving a wage. Therefore, the worker's income becomes more stable and potentially higher, which contributes to raise living standards and acting as a deterrent against in-work poverty.

ii) Principle 7- Information about employment conditions and protection in case of dismissals, specifies that "workers have the right to be informed in writing at the start of employment about their rights and obligations resulting from the employment relationship". Article 106, paragraph 1, point s of Law No. 13/2023 requires digital platforms to inform their workers when rules and instructions concerning the access to and maintenance of employment, working conditions, profiling and monitoring of professional activity are reliant on algorithms or artificial intelligence systems. In addition, Article 12-A(8) of Law No. 13/2023 defines that the digital platform is liable for the employee's claims arising from the employment contract, or its breach or termination.

iii) Principle 10- Healthy, safe and well-adapted environment and data protection, defines that workers "have the right to a high level of protection of their health and safety at work" and "to have their personal data protected in the employment context". First, the expansion of the presumption of an employment relation confers to the worker a set of rights as formulated in the Labour Code, including safeguards concerning protection of their health and safety at work, as long as these norms are compatible with the nature of the activity performed (Article 12- A(9) of Law No. 13/2023).

…to strengthen labour relations and access to rights

By establishing the presumption of an employment relation, Law No. 13/2023 strengthens labour relations because its provisions contribute to eliminating atypical and unbalanced employment relations. More importantly, given that Law No. 13/2023 extends the employment regime to the service provider - digital platform relation, it immediately enhances the service provider's rights and confers the latter the rights and safeguards established by the Labour Code to standard employees. From the moment the service provider is considered an employee, he or she is entitled to a set of rights, depending on the nature of the performed activity (Article 12-A(9) of Law No. 13/2023). These rights include: a salary, established working hours, social security, paid holidays, protection in case of insolvency of the digital platform, just cause in case of contract termination, which was not the case

when the service provider had a services agreement with the digital platform. By extending the employment contract to the digital work platform, job precarity is also reduced.

Furthermore, in line with the description of the measure, **reform RE-r17 shall enhance the protection of labour rights and address the new challenges caused by atypical labour relations.**
As explained above, Article 12-A(9) of Law No. 13/2023 strengthens labour relations and enhances access rights, amongst them rights related to social protection, for example the entitlement of rights in matters such as accidents at work, termination of the contract, prohibition of unfair dismissal, minimum remuneration, holidays, limits on normal working hours, equality and non-discrimination (Article 12-A (9)).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 8.10	Related Measure: RE-C08-i04: Means for preventing and combating rural fires		
Name of the Target: Delivery of vehicles, machinery and equipment			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 179	**Time:** Q1 2023

Context:
The objective of this measure is to reinforce the capacity of State entities to prevent and combat rural fires. It involves purchasing helicopters, constructing and renovating buildings, acquiring firefighting vehicles, machinery and equipment, and the standardisation and upgrade of the meteorological radar network.
Target 8.10 concerns the delivery of a total of 179 i) vehicles; ii) machinery; and iii) equipment.
Target 8.10 is the first step of the implementation of this investment, and it will be followed by targets 8.11 and 8.12, related to the reinforcement of the capacity of the Portuguese Air Force to prevent and combat rural fires, and to the standardisation and upgrade of the meteorological radar network, respectively. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.
ii) **The detailed list of vehicles, machinery and equipment** purchased and delivered with the references for contracts, proof of delivery and installation, as an annex to the summary document.
iii) **Tender notice No. CP/22/2021/ICNF/SEDE of 26 July 2021,** including the technical specifications, for the acquisition of heavy machinery for the Institute for Nature Conservation and Forests, announced in Portugal's Official Journal *Diário da República* No. 143/2021, second series of 26 July 2021, procedure No. 9616/2021. The tender included three lots, (i) Lot one for the acquisition of 13 tractors with 39 specialised equipment, (ii) Lot two for the acquisition of four excavators, and (iii) Lot three for the acquisition of 11 bulldozers.
iv) **Tenders notice No. CP/32/2021/ICNF/SEDE of 22 December 2021,** for the acquisition of vehicles for the combat, prevention and suppression of fires, announced on Portugal's Official Journal *Diário da República* No. 246/2021, second series of 22 December 2021, procedure No. 16079/2021. The tender included the following relevant lots, (i) Lot one for the acquisition of 78 light-firefighting vehicles, (ii) lot two for the acquisition of 22 tactical personnel transport vehicles and eight coordination steering vehicles, (iii) lot three for the acquisition of ten light vehicles for staff transport, and (iv) lot six for the acquisition of five forest fire-fighting vehicles.
v) **Seven contracts** for the delivery of the vehicles, equipment and machinery, signed between the Institute for Nature Conservation and Forests and:
    a. **Contract 71/ICNF/2021** with Unitratores – Equipamentos Florestais e Industriais, Lda.,

for Lot one of CP/22/2021/ICNF/SEDE on 27 September 2021.

b. **Contract 72/ICNF/2021** with Unitratores – Equipamentos Florestais e Industriais, Lda., for Lot two of CP/22/2021/ICNF/SEDE on 27 September 2021
c. **Contract 73/ICNF/2021** with CIMERTEX – Sociedade de Máquinas e Equipamentos, S. A. for Lot three CP/22/2021/ICNF/SEDE on 27 September 2021.
d. **Contract 21/ICNF/2022** with Vianas, S.A., for Lot one CP/32/2021/ICNF/SEDE on 22 March 2022.
e. **Contract 16/ICNF/2022** with Toyota Caetano Portugal, S.A., for Lot two of CP/32/2021/ICNF/SEDE on 11 March 2022
f. **Contract 17/ICNF/2022** with Toyota Caetano Portugal, S.A., for Lot three of CP/32/2021/ICNF/SEDE on 11 March 2022; and
g. **Contract 22/ICNF/2022** with Jacinto Marques Oliveira, Sucrs. Lda., for Lot six CP/32/2021/ICNF/SEDE on 23 March 2022.

The authorities also provided:

vi) **Report issued by the Institute for Nature Conservation and Forests**, signed on 29 September 2023, to prove the compliance with Article 17 of Regulation (EU) 2020/852 and the DNSH Technical Guidance (2021/C58/01) that, no zero-emission vehicles and machinery exist for the vehicles and machinery purchased and therefore, where no zero-emission alternatives exist, the vehicles, machinery and equipment represent the best available levels of environmental performance in the sector.

vii) **Delivery reception certificates** issued by the Institute for Nature Conservation and Forests certifying that 190 vehicles, machinery, and equipment have been delivered, as per contract requirements. The certificates are signed by the Institute of Nature and Forest Conservation. The delivery reception certificates confirm the delivery of:
   a) **Unitratores (Lot 1):** 13 tractors with 39 specialised pieces of equipment, signed on 31 December 2021.
   b) **Unitratores (Lot 2):** Four excavators, signed on 31 December 2021.
   c) **CIMERTEX (Lot 3):** 11 bulldozers, signed on 11 May 2022.
   d) **Vianas S.A. (Lot 1):** 78 light fire-fighting vehicles, signed on 8 August 2023.
   e) **Toyota (Lot 2):** 22 tactical personnel transport vehicles and eight coordination steering vehicles, signed on 18 October 2022.
   f) **Toyota (Lot 3):** Ten light vehicles for staff transport, signed on 11 August 2022.
   g) **Jacinto Marques Oliveira (Lot 6):** Five forest fire-fighting vehicles, signed on 24 January 2023.

viii) **CE certificates of conformity** by Toyota, signed on 6 January 2022, to prove the DNSH compliance of the 22 tactical personnel transport vehicles

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Delivery of firefighting and fire-prevention vehicles, machinery and equipment

The seven delivery reception certificates issued and signed by the Institute for Nature Conservation and Forests prove the successful delivery of the following 190 vehicles (above the quantitative indicator of 179), machinery and equipment:

Delivered item	Associated Tender	Associated contract	Associated delivery certificate by the ICNF attached to the invoice
13 tractors with 39 forestry tools	CP/22/2021/ICNF/SEDE	71/ICNF/2021	Unitratores (Lot 1)

Four excavators	CP/22/2021/ICNF/SEDE	72/ICNF/2021	Unitratores (Lot 2)
11 bulldozers	CP/22/2021/ICNF/SEDE	73/ICNF/2021	CIMERTEX (Lot 3)
78 light fire-fighting vehicles	CP/32/2021/ICNF/SEDE	21/ICNF/2022	Vianas S.A. (Lot 1)
Eight coordination steering vehicles	CP/32/2021/ICNF/SEDE	16/ICNF/2022	Toyota (Lot 2)
22 tactical personnel transport vehicles	CP/32/2021/ICNF/SEDE	16/ICNF/2022	Toyota (Lot 2)
Ten light vehicles for staff transport	CP/32/2021/ICNF/SEDE	17/ICNF/2022	Toyota (Lot 3)
Five forest fire-fighting vehicles	CP/32/2021/ICNF/SEDE	22/ICNF/2022	Jacinto Marques Oliveira (Lot 6)

After confirmation that they meet the technical specifications and other contractual requirements, in accordance with tender procedure.

The Council Implementing Decision required after confirmation that they meet the technical specifications and other contractual requirements, in accordance with tender procedure. The tender procedure was launched by the Institute for Nature Conservation and Forests, through tender notices No. CP/22/2021/ICNF/SEDE and No. CP/32/2021/ICNF/SEDE on 26 July 2021 and 22 December 2021, respectively. As per clause one of the tender notices, the tenders called for applications for the purchase of firefighting and fire-prevention vehicles, machinery and equipment. The technical specifications were included in clause 28 of CP/22/2021/ICNF/SEDE and, as clause 27 states, in the annex of CP/32/2021/ICNF/SEDE. Portugal included the seven delivery reception certificates issued by the Institute of Nature Conservation and Forests, where the Institute for Nature Conservation and Forests include a clear reference that the delivered vehicles, equipment and machinery comply with the associated tender specifications. For the 13 tractors (lot 1 of CP/22/2021/ICNF/SEDE) and 4 excavators (lot 2 of CP/22/2021/ICNF/SEDE), the technical specifications regarding the emission standard for the engine requirements stated EPA Tier 5 and EPA Tier 4 respectively. The EPA Tier emission standards are issued by the United States Environment Protection Agency and are not applicable in the EU. The EU applicable legislation on emission standards is EU Stage V. Therefore, for the 13 tractors and the 4 excavators it has not been possible to confirm that they comply with the technical specification regarding emission standards in the tender procedure. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, Portugal has submitted evidence that the vehicles and machinery purchased comply with EU Stage V, and therefore the vehicles and machinery purchased under these contracts constitute the best available performance in the sector as no zero-emissions alternatives exist. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

Delivered item	**Reference to the compliance with tender requirements in the associated delivery certificate by the ICNF***
13 tractors equipped with 39 forestry tools	Unitratores (Lot 1) – page 10 to 22
Four excavators	Unitratores (Lot 2) – page 10 to 13
11 bulldozers	CIMERTEX (Lot 3) – page 14
78 light fire-fighting vehicles	Vianas S.A. (Lot 1) – page 52-53
Eight coordination steering vehicles	Toyota (Lot 2) – page 62
22 tactical personnel transport vehicles	Toyota (Lot 2) – page 61

Ten light vehicles for staff transport	Toyota (Lot 3) – page 39
Five forest fire-fighting vehicles	Jacinto Marques Oliveira (Lot 6) – page 16

* The pages refer to the pages in the files including the delivery certificates.

Furthermore, in line with the description of the measure, **it is expected that this measure does not do significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852, taking into account the description of the measure and the mitigating steps set out in the recovery and resilience plan in accordance with the DNSH Technical Guidance (2021/C58/01), the vehicles, machinery and equipment to be purchased shall be zero-emission. Where no zero-emission alternatives exist, the vehicles, machinery and equipment to be purchased shall represent the best available levels of environmental performance in the sector.**
The delivery certificates include a direct reference to the compliance of the delivered items to the associated tender specifications. The tender specifications for the associated tenders did not include a direct reference to the DNSH Technical Guidance (2021/C58/01), therefore this requirement is proven by a technical report prepared by the Institute for Nature Conservation and Forests (Report issued by the Institute for Nature Conservation and Forests) where they make explicit reference to the emission standards that is included in the tender specifications of all the items purchased. The report states that, because of lack of access to electricity and hydrogen fuel in territories where rural firefighting and forestry activity is carried out, and because of the lack of available electric/hydrogen motor vehicles in the selected typologies suited for the special-purpose of the investment (firefighting), it was not possible to purchase zero-emission vehicles and machinery (page 7-13 of Report issued by the Institute for Nature Conservation and Forests). The Report issued by the Institute for Nature Conservation and Forests confirms that the vehicles and machinery comply with the best available environmental performance in the sector, namely European standards in force at the time of the contract: Regulation 715/2007 and Implementing Regulation (EU) 2017/1151 – Euro 6 on light duty vehicles, and Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016, Commission Delegated Regulation (EU) 2017/655 of 19 December 2016, Commission Delegated Regulation (EU) 2017/654 of 19 December 2016 and Commission Implementing Regulation (EU) 2017/656 of 19 December 2016 on non-road mobile machinery (page 14 of Report issued by the Institute for Nature Conservation and Forests). These were indeed the best available environmental performance standards at the time of the contract dates.

The engine requirements of the delivered vehicles and machinery comply with these emission standards:

Delivered item	**Technical Specifications as established in the associated tender**	**Emission standard of the vehicle and machinery delivered(1)**
13 tractors equipped with 39 forestry tools	EPA emission level TIER 5 (2) - page 25 of CP/22/2021/ICNF/SEDE	EU Stage V
Four excavators	EPA emission level TIER 4 (3) - page 29 and 32 of CP/22/2021/ICNF/SEDE	EU Stage V
11 bulldozers	EU Stage V emission level standards - page 36 and 38 of CP/22/2021/ICNF/SEDE	EU Stage V
78 light fire-fighting vehicles	Euro 6 – page 39 of CP/32/2021/ICNF/SEDE	Euro 6
Eight coordination steering vehicles	Euro 6 - page 49 of CP/32/2021/ICNF/SEDE	Euro 6
22 tactical personnel transport vehicles	N/A (4)	Euro 6

Ten light vehicles for staff transport	Euro 6 - page 51 of CP/32/2021/ICNF/SEDE	Euro 6
Five forest fire-fighting vehicles	Euro 6 - page 70 of CP/32/2021/ICNF/SEDE	Euro 6

([1]) The delivery certificates do not include a direct reference to the emission standard to the vehicles and machinery purchased. However, they include the tender reference and the confirmation that the delivered items comply with the tender technical specifications, thus confirming the emission standard of the vehicle/machinery delivered corresponds to the one specified in the tender technical specifications.

([2]) The tender technical specifications for CP/22/2021, lot 1, referred to EPA emission level TIER 5. EPA TIER 5 is only a proposal by the U.S. Environmental Agency, thus not applicable. However, Portugal submitted evidence that the purchased vehicles comply with EU Stage V, therefore proving DNSH compliance. Specifically, this was proven by the invoice attached to the delivery certificate from the associated item, which specifies the tractor to be model N135H from Valtra. The report issued by the Institute for Nature Conservation and Forests, page 97, as part of the Annex includes the technical specifications from the tractor model purchased, where it is confirmed that this model complies with Stage V.

([3]) The tender technical specifications for CP/22/2021, lot 2, referred to EPA emission level TIER 4. However, Portugal submitted evidence that the purchased vehicles comply with EU Stage V, which is stricter than EPA TIER 4, therefore proving DNSH compliance. The invoice attached to the delivery certificate from the associated item, specifies the models of the excavators to be DX210NLC-7 and DX140LCR5, both from the brand Doosan. The report issued by the Institute for Nature Conservation and Forests, page 105 and 129, as part of the Annex includes the technical specifications from the excavators' models purchased, where it is confirmed that these two models comply with Stage V.

([4]) For the technical personnel vehicles, the tender specifications did not have a direct reference to the level of emissions required, therefore the compliance with DNSH was proven through individual EC Certificates of conformity issues by the supplier company, Toyota, signed on 6 January 2022, certifying that the 22 vehicles comply with the Euro 6 emission standard.

Furthermore, in line with the description of the measure, **this measure shall leverage the capacity, in terms of […] equipment, of the […] Nature and Forest Conservation Institute (ICNF) in order to increase their effectiveness and efficiency in preventing and combating rural fires.** The delivery of the 190 vehicles, machinery and equipment leverages the capacity in terms of equipment of the Nature and Forest Conservation Institute (ICNF) for the operational firefighting response of the Institute. The vehicles, machinery and equipment significantly amplify the operational firefighting response capabilities of the ICNF, thus enabling it to conduct effective and efficient fire prevention activities. The vehicles, machines and equipment meet the objective of increasing the resilience of these territories by reducing the risk of fires through effective and efficient prevention and, if fires occur, reducing losses through effective and efficient fighting.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 17.22	Related Measure: TD-C17-r40: Simplification of the Tax System
Name of the Milestone: Entry into force of a legal act modifying the legal framework of selected tax benefits	
Qualitative Indicator: Provision in the legal act indicating the entry into force of the legal act	**Time:** Q2 2023
Context:	

The objective of the reform is to improve the effectiveness of Portugal's tax system.
Milestone 17.22 concerns the entry into force of a legal act that shall eliminate or extend a targeted set of tax benefits.
Milestone 17.22 is the first step of the implementation of the reform, and it will be followed by milestones 17.23, 17.24 and 17.25, related to the definition of a permanent system to consistently monitor and evaluate new and existing tax benefits as well as to the revision of the legal framework for a substantial set of tax benefits. The reform has a final expected date for implementation in Q1 2026.

Evidence provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
ii) **Law No. 20/2023 of 17 May** (published in the Official Journal, *Diário da República* No. 95/2023, first series of 17 May 2023, pages 2 – 8), modifying the regime of a set of tax benefits.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.
Entry into force of a legal act that shall eliminate or extend a targeted set of tax benefits.
Law No. 20/2023 modifies the regime of a set of tax benefits, including by eliminating or extending them. It entered into force on 18 May 2023 according to its article 15. As per the below, it eliminates or extends a targeted set of tax benefits.
The legal act shall include tax benefits that are to expire in the subsequent year to its entry into force…
Article 2 of Law No. 20/2023 modifies articles 7 and 9 of the Vehicle Tax Code (*Código do Imposto sobre Veículos*, approved by Law No. 22-A/2007 of 29 June) by establishing the expiration of the preferential Vehicle Tax rate for motor caravans, of currently 30% of the normal vehicle tax rate applicable, on 1 January 2024 (as per article 14(d) of Law No. 20/2023). This tax benefit is to be replaced with a scale for the preferential Vehicle Tax rates on motor caravans. This scale defines a preferential Vehicle Tax rate of 40% to be applied starting on 1 January 2024, which fully phases-out on 1 January 2027.
… that are no longer aligned with its original public policy objective.
Article 13(e) of Law No. 20/2023 repeals Article 67 of Decree Law No. 43,335 of 19 November 1960 which defines a tax exemption from the 'industrial contribution' ('*contribução industrial*'), a form of direct taxation which was applied to all public concessions of the national electricity network, except for those relating to thermal production in power plants using foreign fuels. This tax exemption was already abolished under Article 3(1) of the Corporate Income Tax Code ('*Código do Imposto sobre o Rendimento das Pessoas Colectivas*' approved by Decree Law No. 442-B/88 of 30 November), nonetheless, its abolishment from Decree-Law No. 43,335 was necessary to remove existing inconsistencies within the tax system legal framework. This inconsistency within the tax system legal framework still enabled taxpayers to benefit from this tax exemption in later years. The original public policy objective of this tax benefit was to promote the electrification of rural areas in Portugal, which is considered as completed.
… or have a low number of beneficiaries.
Article 13(a) of Law No. 20/2023 repeals Article 8(2) of the Vehicle Tax Code ('*Código do Imposto sobre Veículos*', approved by Law No. 22-A/2007 of 29 June) which defined a preferential Vehicle Tax rate for vehicles manufactured before 1970. According to the latest data available to the Ministry of Finance it covered only approximately 150 taxpayers.
… and that are potentially damaging for the environment.

Law No. 20/2023 modifies a set of tax benefits which promote economic activities potentially damaging for the environment, such as those directly related to the consumption of fossil fuels, which contribute to the production of polluting emissions:

- Article 6 of Law No. 20/2023 modifies the 'List II' included as an annex in the Value-Added Tax Code ('*Código do Imposto sobre o Valor Acrescentado*' approved by Decree Law No. 394-B/84 of 26 December) by eliminating the preferential Value Added Tax rate for coloured and marked oil.
- Article 7 of Law No. 20/2023 modifies Article 93 of the Excise Duty Code ('*Código dos Impostos Especiais de Consumo*' approved by Decree Law No. 73/2010 of 21 June) by eliminating the preferential tax rate for coloured and marked oil and for heating oil.
- Article 13(a) of Law No. 20/2023 repeals Article 8(2) of the Vehicle Tax Code ('*Código do Imposto sobre Veículos*' approved by Law No. 22-A/2007 of 29 June) which defined a preferential Vehicle Tax rate for specific types of light vehicles.
- Article 13(d) of Law No. 20/2023 repeals Article 89(1)(j) of the Excise Duty Code (*Código dos Impostos Especiais de Consumo* approved by Decree Law No. 73/2010 of 21 June), which defined a preferential tax rate for the manufacturing of specific motor fuels.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 18.1	Related Measure: TD-C18- r33: Economic justice and business environment

Name of the Milestone: Creation of specialised chambers in the administrative and tax superior courts

Qualitative Indicator: Creation of specialised chambers in the administrative and tax superior courts	**Time:** Q1 2023

Context:

The objective of the reform is to increase the efficiency of administrative and tax courts, as regard the justice system.

Milestone 18.1 concerns the creation of specialised chambers in the administrative and tax superior courts.

Milestone 18.1 together with milestone 18.2, related to a legal legal regime promoting in and out-of-court settlements, are the first steps of this reform (both part of this payment request). They are followed by milestone 18.3, related to the revised legal framework for insolvency and recovery, and by milestone 18.4 related to the legislative package on the removal of barriers to licensing. The reform has a final expected date for implementation in Q3 2025.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.

ii) **Decree Law No. 74-B/2023**, of 28 August (published in Portugal's Official Journal, *Diário da República* No. 166/2023, first series, of 28 August 2023, pages 4-13), which revises the Statutes of the Administrative and Tax Courts

iii) **Government Order No. 281-A/2023**, of 13 September (published in Portugal's Official Journal, *Diário da República* No. 178/2023, first series, of 13 September 2023, pages 2 and 3 which includes the list of specialised chambers

iv) **Declaration by Minister of Justice,** of 15 September, that all specialised chambers are in operation. In this declaration, the Minister of Justice all corroborates the declaration of the President of the Institute for Financial Management and Justice Equipment (IGFEJ)**,** of 15 September 2023, that all the technological support works for the creation of the specialised chambers are completed,.

The authorities also provided:

v) **Law No. 34/2023**, of 19 July – (published in Portugal's Official Journal, *Diário da República* No. 18/2023, first series, of 19 July 2023, pages 50 to 52) authorising the government to amend the Statute of the Administrative and Tax Courts, the Code of Procedure and Tax Procedure, the General Regime of Tax Infractions and Decree Law No. 42/2001, of February 9.

vi) **Law No. 13/2002**, of 19 February – (published in Portugal's Official Journal, *Diário da República* No. 42/2002, first series, of 19 February 2002, pages 1324 to 1340), which approves the Statute of the Administrative and Tax Courts

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Creation of specialised chambers in the administrative and tax superior courts

To create the specialised chambers Portugal had to amend the Statutes of the Administrative and Tax Courts, approved by Law No. 13/2002 (article 1 of Law No. 34/2023). Because the revision of these Statutes falls within the competence of the Portuguese Parliament, the Portuguese Parliament authorised the Government to make this revision within 120 days after the entry into force of Law No. 34/2023 (article 3 of Law No. 34/2023). The authorisation act was established in article 2(d) of Law No. 34/2023, which entered into force on 24 July 2023, five days after its publication in the Official Journal, *Diário da República* on 19 July 2023 (according to article 2(2) of Law No. 74/98 of 11 November "If no date is set, the acts referred to in the previous paragraph shall enter into force on the 5th day after publication").

In accordance with the Parliament's authorisation, the Government approved Decree Law No. 74-B/2023, which established the specialised chambers in the administrative and tax superior courts (article 2 of Decree Law No. 74-B/2023 which amends article 32(2) of Law No. 13/2002). According to its article 9, Decree Law No. 74-B/2023 entered into force one day after its publication, on 29 August 2023.

…ordinary administrative judgements, social administrative judgements, public procurement judgements, ordinary tax judgements, tax enforcement and administrative offenses judgments

According to article 32(2) of Law No. 13/2002 as amended by article 2 of Decree Law No. 74-B/2023, the superior courts have five new specialised chambers each of them handling the following types of judgements:

i) Ordinary administrative chamber that reviews the ordinary administrative judgements;
ii) Social administrative chamber that reviews the social administrative judgements;
iii) Public procurement chamber that reviews the public procurement judgements;
iv) Ordinary tax chamber that reviews the ordinary administrative judgements;
v) Tax enforcement and administrative offenses chambers that reviews the tax enforcement and administrative offenses judgements.

Government order No. 281-A/2023, mandated the effective installation of these five specialised chambers in the superior administrative and tax court of the south ('Tribunal Central Administrativo Sul') with headquarters in Lisbon, and another five in the superior administrative and tax court of the north ('Tribunal Central Administrativo Norte'), with headquarters in Porto (article 1 of Government Order No. 281-A/2023). This results in the creation of the 10 specialised chambers listed in article 1 of Government Order No. 281-A/2023. According to its article 2, Government Order No. 281-A/2023 entered into force on 14 September 2023.

While Government Order No. 281-A/2023 mandated the effective installation of 10 specialised chambers, these specialised chambers also became operational. The President of the Institute for Financial Management and Justice Equipment (IGFEJ) declared that all technological support works for the creation of these specialized chambers in the two superior Administrative and Tax Courts (north and south) were concluded. The Minister of Justice declared that the 10 specialised chambers were in

operation (see Declaration by the Minister of Justice of 15 September, which also corroborates the declaration of the President of Institute for Financial Management and Justice Equipment (IGFEJ).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 18.2	Related Measure: TD-C18-r33: Economic justice and business environment
Name of the Milestone: Entry into force of a legal regime to encourage in-court and out-of-court settlement	
Qualitative Indicator: Entry into force of a legal regime to encourage in-court and out-of-court settlement	**Time:** Q1 2023

Context:

The objective of the reform is to increase the efficiency of administrative and tax courts, as regard the justice system.

Milestone 18.2 requires the entry into force of a legal regime promoting in and out-of-court settlements.

Milestone 18.2 together with Milestone 18.1 related to the creation of specialised chambers in the administrative and tax superior courts and which is part of the same payment request, are the first steps of the implementation of this reform. They will be followed by milestone 18.3, related to the revised legal framework for insolvency and recovery, and by milestone 18.4 related to the legislative package on the removal of barriers to licensing. The reform has a final expected date for implementation in Q3 2025.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
ii) **Decree Law No. 30/2023** of 5 May (published in Portugal's Official Journal, *Diário da República* No. 87/2023, first series of 5 May 2023, pages 8-9)

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Entry into force of the legal regime creating a statutory incentive scheme for the termination of proceedings by in-court and out-of-court settlement.

On 6 May 2023, Decree Law No. 30/2023, which creates a statutory incentive scheme for the termination of proceedings in administrative and fiscal courts entered into force. Decree Law No. 30/2023 was published in the Official Journal, *Diário da República* on 5 May 2023. According to its article 4, Decree Law No. 30/2023 enters into force one day after its publication.

According to article 3 of Decree Law No. 30/2023, the incentive consists in reimbursing 25% of the paid court fees and exonerating the payment of the remaining court fees due when the court case value is above EUR 275 000. In those cases where the parties are not obliged to pay court fees upfront, the incentive consists in a reduction of 25% of the total court fees.

According to article 2 of Decree Law No. 30/2023, the incentive scheme covers the termination of proceedings in case of an agreement between the parties with the intervention of the judge. The agreement is either mediated or ratified by the judge. This is known as 'judicial transaction' (in-court settlement). Article 2 of Decree Law No. 30/2023 also covers agreements between the parties concluded outside the court proceedings, so-called out of court settlement *(acordo)*().

In addition, article 2 of Decree Law No. 30/2023 extends the incentive scheme to other legal venues to terminate court proceedings in the Portuguese system, such as withdrawal and confession.

Furthermore, in line with the description of the measure, [the reform is related to] **administrative and**

tax courts. This statutory incentive scheme is applicable to administrative and tax courts, as established in article 1 of Decree Law No. 30/2023.
Commission Preliminary Assessment: Satisfactorily fulfilled

Loan support – Third instalment

Number: 2.20	Related Measure: RE-C02-i05: Affordable public housing stock		
Name of the Target: Affordable Public housing stock – Dwellings with started work (constructed with high energy efficiency or rehabilitated with improved energy performance)			
Quantitative Indicator: Number of dwellings for which work starts following the tendering procedure and the signature of a contract.	**Baseline: 0**	**Target:** 520	**Time:** Q3 2022

Context:

The objective of the investment is to provide housing at affordable prices to specific target groups via the construction or acquisition of new buildings, and the rehabilitation of public dwellings. The objective is to provide 6 800 accommodations at affordable prices.

Target 2.20 concerns the works started following the tendering procedure and signature of contract for 520 dwellings.

Target 2.20 is the first step of the implementation of this investment and it will be followed by targets 2.21 related to start of works of 1400 dwellings and targets 2.22, 2.23 and 2.24, which are related to the delivery of dwellings to eligible households. The investment has a final expected date for implementation in Q2 2026.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled.

ii) **List of dwellings** including information on the relevant evidence for each individual dwelling.

iii) In the context of the sampling analysis, supporting documents were provided for the list of 60 samples for further verification of the:

- a) **Launch of tender** *(Anúncio do concurso público*), showing the call for applications for the works.
- b) **Consignment agreements** (*Autos de consignação)* signed by the contractor and IHRU, showing that the companies that perform the works were given access to the works location and the execution of the works can proceed.
- c) **Acceptance agreements** *(Autos de receção)* signed by the contractor and IHRU in case works have been finished, certifying that works have finished.
- d) **Declaration by the contractor** that the works have started with reference to the contract number and the consignment agreement.
- e) **Contracts of the works**, signed between IHRU or the municipalities and the companies doing the works (hereinafter referred to as contractors).
- f) **Energy pre-certification** issued by the Agency for Energy (ADENE) and the Directorate-General of Energy and Geology, proving the compliance with NZEB–20% requirement in case of new buildings.
- g) **Procedure fiches** (*fichas de procedimento*) issued by IHRU, linking the addresses to the procedure number for cases where the official documents do not refer to the full address of the dwellings.
- h) **Offer by the contractor** for those dwellings undergoing direct contracting as per public

procedure rules.

i) **Additional proof of address** linking the addresses to the procedure number for cases where the other official documents do not refer to the full address of the dwellings.

The authorities also provided:

iv) **Decree Law No. 68/2019 of 22 May** (published in Portugal's Official Journal *Diário da República* first series No. 98 of 22 May 2019, page 2546), establishing the Accessible Lease Programme

v) **Decree Law No. 82/2020 of 2 October** (published in Portugal's Official Journal *Diário da República* first series No. 1932 of 2 October 2020, page 30), which regulates the inventory carried out on public buildings suitable for housing and the creation of the *public housing stock*.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Number of dwellings for which works started following the tendering procedure and the signature of a contract.

The List of dwellings details that for 527 dwellings works have started (above the qualitative indicator of 520). The works include 497 dwellings managed by the Housing and Urban Rehabilitation Institute, as direct beneficiary of the investment and 30 dwellings managed by municipalities as final beneficiaries, in close collaboration with the Housing and Urban Rehabilitation Institute. In the latter cases, IHRU is the intermediate beneficiary of the investment. The list of dwellings includes the address of each individual dwelling and their respective references for the launch of tender, the contracts of the works, the declaration by the contractor (that the works have started), the consignment agreements and in case of finished works also the acceptance agreements, the type of intervention (rehabilitation or construction) and where relevant, the energy pre-certification.

The 497 dwellings directly managed by the Housing and Urban Rehabilitation Institute form part of the public housing stock established by Decree No. 82/2020. Point 2 of article 4 of Decree No. 82/2020 states that the public housing stock exchange is an inventory of residential buildings, as well as land, owned by the Portuguese State, that are identified as meeting the requirements or could be converted from non-residential into residential dwellings, with the aim of increasing the public housing stock, as explained in Article 3 of Decree No. 82/2020. For each renovation or construction intervention for one or more dwellings, the Housing and Urban Rehabilitation Institute launched a tender to select applicants for the works (as per Clause 2 of the launch of tender and reference numbers for all dwellings found in column E in the list of dwellings). The 30 dwellings managed by municipalities followed a similar process to launch their tendering procedures (as per Clause 2 of the launch of tender and reference numbers found in column E in the list of dwellings. The launch of tenders cover dwellings or group of dwellings (lots) and request applications from contractors for the projects.

Following the tendering procedures, contracts were signed between the Housing and Urban Rehabilitation Institute and the contractors or between the municipalities and the contractors as seen in the sequential dates of the launch of tender and the contracts of the works in the below explained sampling exercise.

The List of dwellings with works started includes, under the management of the Housing and Urban Rehabilitation Institute, 291 unoccupied dwellings that are being rehabilitated, 26 non-residential dwellings owned by the Portuguese State that are being converted into housing, and 180 new dwellings that are being constructed. Additionally, it includes the rehabilitation of 30 dwellings under the management of municipalities in close collaboration with the Housing and Urban Rehabilitation Institute.

The evidence sampled the list of dwellings with details of the following eight types of evidence:

i. **Launch of tender** *(Anúncio do concurso público)*, showing the call for applications for the works.

ii. **Consignment agreements** (*Autos de consignação)* signed by the contractor and IHRU showing that the companies that perform the works were given access to the works location and the execution of the works can proceed;

iii. **Acceptance agreements** *(Autos de rececão)* signed by the contractor and IHRU in case works have been finished, certifying that works have finished.

iv. **Declaration by the contractor** that the works have started with reference to the contract number and the consignment agreement

v. **Contracts of the works**, signed between IHRU or the municipalities and the companies doing the works (hereinafter referred to as contractors)

vi. **Energy pre-certification** by the agency for energy (ADENE) and the directorate general of energy and geology proving the compliance with NZEB–20% requirement in case of new buildings.

vii. **Procedure fiches** (*fichas de procedimento*) issued by IHRU, linking the addresses to the procedure number for cases where the official documents do not refer to the full address of the dwellings.

viii. **Offer by the contractor** for those dwellings undergoing direct contracting as per public procedure rules.

ix. **Additional proof of address** linking the addresses to the procedure number for cases where the other official documents do not refer to the full address of the dwellings.

The sampling exercise verified the CID target description for: (i) '…**works started…' (ii) '…following the tendering procedure…' (iii) …and the signature of a contract**.' According to the evidence provided by authorities for a sample of 60, the analysis took place as follows:

i. works started: the consignment agreements were verified along with the declarations from the contractor that the works have started; In some cases, in which works had already finished, the acceptance agreements were verified together with the consignment agreements.

ii. following the tender procedure: this was verified through the launch of tender for each individual dwelling or lot. Seven dwellings under renovations were tendered through direct tendering procedures. For these dwellings the offer by the contractor demonstrated that a tendering procedure had taken place.

iii. the signatures of the contracts were verified.

It was also verified that the works started after the tendering and signature of contract, by checking the dates and signatures of the evidence under points i., ii., and iii.

In all the cases of evidence with reference to lots, the address of the dwellings was cross checked with page 2 of the declaration by the contractor and, in some cases, the procedure fiches or the additional proof of address, in order to verify that the documents referring to lots or house numbers, correspond to the address of the individual dwellings in the launch of tender.

For new buildings, the sampling exercise also verified that their energy pre-certificates are compliant with the NZEB-20% energy level.
In conclusion, the sampling exercise was considered successful, and the target has been met.

Where it involves new construction, new buildings shall have a primary energy demand at least 20% below the requirements of nearly zero energy buildings.
From the 527 dwellings for this target, 180 dwellings are newly constructed as seen in the column I of the list of dwellings, including the registration number of the energy pre-certificates of each of the 180

dwellings. For each new building sampled, the authorities provided energy pre-certification documents for new buildings which is an official national certificate issued by the Agency for Energy (ADENE) and the Directorate-General for energy and geology. As per Commission Recommendation on Building Renovation (EU) 2019/786, new buildings (*edificios novos*) need to be at least below the requirement of nearly zero energy buildings which equals to a threshold of maximum 50% of the average energy consumption (as shown by the stamp and line in the pre-energy certification documents for new buildings). NZEB –20% therefore translates to a maximum threshold of 40% of the average energy use in the energy pre-certifications. The energy pre-certification documents for all dwellings are referenced in column L in the list of dwellings. The energy pre-certification in the sample were checked when the dwellings were categorised as a new construction in column I of the list of dwellings. As seen in the energy pre-certification document (main figure, page 1), the rating for each of the new dwellings is between 0% and 38%. This demonstrates that the new constructions comply with the requirement that primary energy demand is at least 20% below the requirements of nearly zero energy buildings.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 2.25	Related Measure: RE-C02-i06: Student accommodations at affordable prices		
Name of the Target: Student accommodation at affordable costs – number of student accommodation places with launched tenders			
Quantitative Indicator: Number	**Baseline:** 0	**Target:** 7 000	**Time:** Q3 2022

Context:

The objective of the investment is to increase the national supply of affordable student accommodation and as a result decrease the direct costs for students and their families, helping in particular those most socially and economically vulnerable.

Target 2.25 requires the launching of public tenders for 7 000 new and renovated places of student accommodation.

Target 2.25 is the first step of the implementation of the investment and it will be followed by targets 2.26, 2.27 and 2.28, related to the allocation of a cumulative total of 7 200, 13 300 and 18 000 beds, respectively. The investment has a final expected date for implementation in Q1 2026.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled.

ii) **Tender documentation** including the number of places of student accommodation:
   a) **Notice No. 01/C02-I06/2022** of 28 January 2022 published by the national strategy for Housing for higher education (*Plano Nacional para Alojamento no Ensino Superior - PNAES)* – constituting the notice of Invitation express interest to tender.
   b) **Notice No. 02/C02-I06/2022** of 25 March 2022 published by the national strategy for Housing for higher education (*Plano Nacional para Alojamento no Ensino Superior - PNAES)*, constituting the invitation to submit applications for funding exclusively by promoters of the "Events of Interest" approved under Notice 01/C02-106/2022.

iii) **Extracts from the tender documents** indicating that (i) new buildings will have a primary energy demand of at least 20 % lower than the NZEB requirements; (ii) and energy efficiency renovations should achieve on average at least one renovation considered 'medium' as defined in Commission Recommendation (EU) 2019/786 on building renovation:
   a) Extract of point 3.11 of document Notice No. 01/C02-I06/2022 of 28 January 2022
   b) Extract of point 9 of document Notice No. 02/C02-I06/2022 of 25 March 2022

The authorities also provided:

iv) **Government Order No. 29-A/2022 of 10 January** (published in the Official Journal *Diário da República* first series of 10 January 2022, page 65-2), laying down the specific conditions for the financing by the Recovery and Resilience Plan of operations for the accommodation of students in higher education;

v) **Government Order No. 188/2023 of 4 July** (published in Portugal's Official Journal *Diário da República* first series of 4 July 2023, page 27), amends the Government Order No. 29 -A/2022 of 10 January to clarify the priority of the beneficiaries.

vi) **Final list of funded projects** dated 11 August 2023 provided by the implementing body Erasmus + Portugal.

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Number of new and renovated places of accommodation … for which public tenders have been launched.

The tendering process leading to the choice of final beneficiaries and the respective contracting of the projects to be financed, including number of places, was carried out in two stages. The call for tender, Notice No. 01/C02-I06/2022 of 28 January 2022, was the first phase of the implementation process, which was open to all eligible entities to submit expressions of interest. The notice was open for applications from 8 to 28 February 2022 as indicated in page 26 Point 4 of Notice No. 01/C02-I06/2022. The second phase was published under Notice No. 02/C02-I06/2022 of 25 March 2022, which involved the applications for funding. This requested the successful candidates from the call for expressions of interest from the previous phase to apply for funding. The call for applications was open from 15 April to 2 May 2022 as outlined in page 21 point 20 of Notice No. 02/C02-I06/2022 approved applications for funding amounted to 18 143 new or renovated places (beds) for student accommodation (above the quantitative indicator of 7 000). Complying with point 3.8 of Notice No. 01/C02-I06/2022 of 28 January 2022 and point 3 of Notice No. 02/C02-I06/2022 of 25 March 2022 that eligible typologies for the student housing are construction, adaptation, purchase and renovation, the results from the tendering process can be found in the final list of funded projects. The final tendering was awarded to student beds categorised as 'new beds' and 'renovated beds' as per the final list of funded projects.

...for primarily higher-education students…

Priority use of the student accommodation places by higher-education students is ensured under Article 2 of Government Order No. 188/2023 which states that the allocation of these beds will take place so that students get first priority for the accommodation. Article 2 of Government Order No. 188/2023 amends Article 4 of Government Order No. 29-A/2022 by include the words 'in the order of priority below...'. The prioritised group of students are displaced students receiving financial aid ('scholarship') due to their economic or socially vulnerable situation. This prioritisation is then followed by displaced students, whether national or foreign, including students under the ERASMUS + Programme, students within networks of European universities and student foreigners under other international mobility agreements with the Portuguese State, as well as international students contributing to the internationalisation of the national higher education system. Lowest priority is given to researchers, teachers and non-teachers of educational institutions who are in need, particularly in national or international mobility, including under the ERASMUS + programme, of networks of 'European universities' and under other international mobility agreements with the Portuguese State. Alas, in a scenario where the accommodation is not fully occupied by the student population, a provision is made, as per point (d) of Article 2 of Government Order No. 188/2023 and point (d) of Article 4 of Government Order No. 29-A/2022, for the possibility of occasional use by researchers, teachers and non-teachers of mobile higher education institutions.

New buildings shall have a primary energy demand at least 20% below the requirements of nearly zero energy buildings (NZEB). Energy efficiency renovations shall achieve, on average, at least a medium-depth level renovation as defined in Commission Recommendation on Building Renovation (EU) 2019/786.
In order to ensure that all projects approved for funding comply with the requirements of (1) primary energy demand at least 20% below the NZEB requirements for new buildings and (2) at least medium-depth renovation level on average for energy efficiency renovations as defined by Commission Recommendation on Building Renovation (EU) 2019/786, the call for tenders have included the provisions in Notice No. 01/C02-I06/2022 of 28 January 2022 on page 18, point 3.11 and in Notice No. 02/C02-I06/2022 of 25 March 2022 on page 10, point 9, requirements 1 and 2 on NZEB-20% and on medium-depth level renovation, ensuring that the tender specifications take into consideration these requirements.

Furthermore, in line with the description of the measure, **these accommodations shall help to reduce the direct costs of students and their families, with a particular focus on the most socially and economically vulnerable students**.
By ensuring that priority is given to scholarship students, it is ensured that there is a particular focus on the socially and economically most vulnerable students. As these student accommodations are provided at affordable prices compared to the housing market, as explained in page 1 of Government Order No. 29-A/2022, the use of this accommodation reduces the costs for the students and their families.
The investment shall consist of providing […] beds through the construction of new buildings, the rehabilitation of existing buildings and the modernisation and expansion of existing student accommodation units.
Article 3 titled 'Accommodation operations for students in higher education' on page 2 of Government Order No. 29-A/2022 identifies the types of interventions that are eligible for funding under the investment in student housing at affordable prices: i) new construction; ii) rehabilitation (modification, extension or reconstruction) of existing buildings or units, to make them usable for housing for higher education; iii) the purchase of existing buildings or units for adaptation (alteration, extension or reconstruction) to be used as accommodation for higher education. By explaining the following typologies in the aforementioned government order, this fulfils the requirements of having both new and renovated beds.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 5.24	Related Measure: RE-C05-r13: Capital market development and promotion of capitalisation of non-financial companies
Name of the Milestone: Entry into force of the revision of the legal framework for collective investment undertakings	
Qualitative Indicator: Entry into force of the revision of the legal framework for collective investment undertakings	**Time:** Q3 2022

Context:
The objective of the measure is to boost the Portuguese capital market and to promote the capitalisation of companies, with particular emphasis being placed on securities investment companies for the development of the economy, collective investment undertakings and the revision of the securities code.
Milestone 5.24 concerns the entry into force of an act reviewing the legal framework for collective investment undertakings, with a view to regulatory and administrative simplification.
Milestone 5.24 is the first step of the implementation of the reform, together with milestone 5.25, related to the entry into force of a revision of the Securities Act Code, part of the same payment request. They will be followed by milestone 5.26, related to the entry into force of legislation for the

capital market development. The reform has a final expected date for implementation in Q4 2023.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled;

ii) **Decree Law No. 27/2023 of 28 April** (published in Portugal's Official Journal *Diário da República* No. 83/2023, first series of 28 April 2023, pages 2 - 184), introducing the new asset management regime ("*Regime da Gestao de Ativos"* (RGA));

iii) **Law No. 4/2023 of 16 January** (published in Portugal's Official Journal *Diário da República* No. 11/2023, first series of 16 January 2023, pages 2 – 184), authorising the Government to review the legislation on the activity of collective investment undertakings.

Analysis:

The justification and substantiating evidence provided by the Portugal authorities covers all constitutive elements of the milestone.

Entry into force of the Act, following the Adoption of the Law by the Assembly of the Republic.

Decree Law No. 27/2023 of 28 April has been published in Portugal's Official Journal *Diário da República* No. 83/2023, first series of 28 April 2023, and entered into force on 28 May 2023 as provided for in its article 10, corresponding to 30 days following its publication. Law No. 4/2023 has been published in Portugal's Official Journal *Diário da República* No. 11/2023, first series of 16 January 2023, in which (article 1) the Assembly of the Republic authorises the Portuguese government to review the legislation on collective investment undertakings. Law No. 4/2023 was countersigned on 11 January 2023 and provided a legislative authorisation for 120 days.

It shall review the legal framework for collective investment undertakings with a view to regulatory and administrative simplification.

Decree Law No. 27/2023 has been adopted and entered into force on 28 May 2023. Article 10 of Decree Law No. 27/2023 reviews the legal framework of collective investment undertakings (CIUs), approving the new asset management regime ("*Regime da Gestao de Ativos")* (RGA), and introduces regulatory and administrative simplifications.

The review of the legal framework for CIUs is fulfilled through several articles of the annex to Decree Law No. 27/2023, such as: the definition of two types of CIUs (article 5); easing of liquidity requirements for CIUs, now only required to be positive; simplifying the regulatory framework (article 20); and setting of criteria for the emission of debt securities by CIUs (article 209).

The RGA also introduces, among others, the regulatory simplification of the classification of both managing societies of CIUs, now limited to two types (article 6), and of the classification of CIUs, now limited to four types (article 208). Further revisions are made to the administrative processes for CIUs, including the shortening of the decision periods for the Portuguese Securities Market Commission (such as in articles 26 and 27 of the RGA), as well as the expansion of the "simplified regime", for CIU managing societies with a size below the one in Directive 2011/61/EU (articles 32 and 33 of the RGA), now making all types of alternative investment funds eligible for it (previously this being limited to venture capital funds).

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 5.25	Related Measure: RE-C05-r13: Capital market development and promotion of capitalisation of non-financial companies
Name of the Milestone: Entry into force of the revision of the Securities Code Act	
Qualitative Indicator: Entry into force of the revision of the Securities Code Act	**Time:** Q3 2022

Context:

The objective of this measure is to boost the Portuguese capital market and to promote the

capitalisation of companies, with particular emphasis being placed on securities investment companies for development of economy, collective investment undertakings and the revision of the securities code.
Milestone 5.25 concerns the entry into force of an Act reviewing the Securities Code, with a view to regulatory and administrative simplification.
Milestone 5.25 is the first step of the implementation of the reform, together with milestone 5.24, part of the same payment request, which refers to the entry into force of an Act reviewing the legal framework for collective investment undertakings. They will be followed by milestone 5.26, related to the entry into force of legislation for the capital market development. The reform has a final expected date for implementation in Q4 2023.

Evidence provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled;
ii) **Law No. 99-A/2021 of 31 December** (published in the *Diário da República* No. 223/2021, first series of 31 December 2021, pages 2-128), revising the Securities Code, entered into force on 30 January 2022;
iii) **Law No. 24-D/2022 of 30 December** (published in the *Diário da República* No. 251/2022, first series of 30 December 2022, pages 2-128), presenting the 2023 state budget, entered into force on 1 January 2023;
iv) **Decree Law No. 72/2021 of 16 August** (published in the *Diário da República* No. 242/2021, first series of 16 August 2021, pages 17-29), revising the judicial framework for securities investment companies for development of economy (SIMFEs), entered into force on 26 March 2021.

Analysis:

The justification and substantiating evidence provided by the Portugal authorities covers all constitutive elements of the milestone.
Entry into force of the Act, following the Adoption of the Law by the Assembly of the Republic.
This was achieved by the entry into force of Law No. 99-A/2021, which was adopted by the Assembly of the Republic on 31 December 2021 and entered into force 30 days after its publication, on 30 January 2022, as provided for in its Article 22.
The revision of the Securities Code aims at regulatory and administrative simplification in order to align the national framework with Union law as regards the objective of increasing the competitiveness of the Portuguese capital market.
Law No. 99-A/2021 introduces a wide number of regulatory and administrative simplifications contributing to increasing the competitiveness of the Portuguese capital market. Administrative simplifications include: the simplification and elimination of reporting obligations that are considered non-essential or redundant, such as the annual reporting on corporate governance and the reporting on the items classified in Law No. 99-A/2021 as "other information" (Article 29-L); as well as administrative simplification by eliminating reporting obligations, such as quarterly disclosure of information (repeal of Articles 246a and 249 (1) (a) and (b)), as per Article 21). Regulatory simplifications include: the harmonisation of the system for the reporting of qualifying holdings (Article 16); clarification and facilitation of market exit requirements (Articles 194 and 251); and a framework for an electronic reporting regime (Articles 64 and 357a). Such simplifications contribute to align the Portuguese national framework with Union law, in line with Directive 2013/50/EU of the European Parliament and of the Council of 22 October 2013 (for example, see paragraph 26 on electronic reporting, demanding the introduction of a harmonised electronic format for reporting, as the one introduced in Article 64 of Law No. 99-A/2021) and Directive 2004/109/EC of the European

Parliament and of the Council of 15 December (for example, see paragraph 9 on reporting requirements, recommending the use of half-yearly financial reports, in line with the administrative simplifications introduced by Article 21 of Law No. 99-A/2021, which removed requirements for disclosure of information on a quarterly basis).

Furthermore, in line with the description of the measure, **the implementation of this reform shall consist of following measures: [..] (ii) boosting securities investment companies for development of economy (SIMFEs); (iii) regulatory and administrative simplification; [..] and (v) capitalisation incentives (deduction for retained and reinvested earnings).**
Point (ii) ("*boosting securities investment companies for development of economy (SIMFEs)*" is justified in Decree Law No. 72/2021, which entered into force on 26 March 2021, as per its article 10. Decree Law No. 72/2021 introduces, among others, the following changes: SIMFEs no longer qualify as "common collective investment undertakings", but as "specialised alternative investment companies" (Article 2, point 1); their shares can be traded on a multilateral trading facility, and not exclusively on regulated markets (Article 2, point 4); eligible investments are expanded to companies' debt securities, in particular those covered by state-guarantees, to support the financing needs of SMEs (Article 4, point 1); eligible investments are extended to companies issuing shares that are traded on multilateral trading facilities (Article 3, point b); co-investments, either through the co-ownership of financial instruments or through simultaneous investment by public or private entities in the same projects, are allowed (Article 2, point 8, and Article 4, point 3). These lightened requirements and expanded activities by SIMFE will contribute to promoting the capitalisation of companies.
Point (iii) ("*regulatory and administrative simplification*") is justified above together with the milestone description.
Point (v) ("*capitalisation incentives (deduction for retained and reinvested earnings)"*) is justified by the capitalisation incentives (including deduction for retained and reinvested profits), outlined in Law No. 24-D/2022, entered into force on 1 January 2023, as per its Article 284. In particular, Article 251 sets an addendum to Article 43b of Decree Law No. 215/89, which refers to '*Tax scheme for the encouragement of the Capitalisation of Enterprises'*, providing for the possibility of deducting taxable profits at an annual rate of 4.5%, for up to ten years, for an amount equivalent to the net increases in companies' equity capital (meaning retained and reinvested profits). In addition, and always through Article 251, this deduction rate is increased to 5% in the case of companies that qualify as micro, small, medium or small mid-cap enterprises. This tax incentive is expected to increase the competitiveness of the Portuguese capital market, by creating more favourable conditions for the capitalisation of companies.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 7.9	Related Measure: RE-C07-i03 Cross-border links
Name of the Milestone: First Environmental Impact Assessment completed	
Qualitative Indicator: Completion of the Environmental Impact Assessment	**Time:** Q3 2022

Context:
The objective of the investment is to improve cross border mobility through the development and upgrade of road infrastructure connections with Spain. The measure is centred around 30 km of built or upgraded road infrastructure connecting Portugal with Spain.
Milestone 7.9 concerns the completion of the Environmental Impact Assessment of one road.
Milestone 7.9 is the first step of the implementation of the investment, and it will be followed by target 7.10, related to 30 km of roads built or rehabilitated. The investment has a final expected date for implementation in Q4 2025.

Evidence provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled ii) **Environmental Impact Statement (DIA)** issued by the Portuguese Environment Agency on 6 September 2022 setting out the results of the environmental impact assessment for the project "EN103 – Link between Vinhais/Bragança (IP4)"
Analysis: The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone. **Environmental impact assessment of one road project has been completed.** The Environmental Impact Assessment (EIA) was carried out for the road intervention EN103 – Link between Vinhais/Bragança (IP4) by the Portuguese Environmental Agency (APA) and was completed by issuing the Environmental Impact Statement (DIA) on 6 September 2022. The assessment examined 15 possible interventions and locations for carrying out the investment (page 2 of the DIA) and based on this, 19 possible combinations were considered (page 3 of the Environmental Impact Statement). The EIA procedure started on 29 November 2021 and the Portuguese Environment Agency, in its capacity as the EIA Authority, appointed the respective Assessment Committee (page 5 of the DIA). The EIA procedure also included a public consultation period and the consultation to other concerned authorities. The Environmental Impact Statement considered the effects of the project on the environment and weighted them against expected positive impacts, and then the decision was made in favour of choosing the implementation of the combination of the project EN103 – Link between Vinhais/Bragança (IP4) (pages 10-14 of the DIA), including mitigating measures that would prevent the negative effects. Therefore, APA issued a positive Environmental Impact Assessment subject to compliance with a set of environmental conditions. It is also expected that, in the RECAPE phase, APA will closely monitor the implementation of the mitigating measures and their effectiveness in protecting biodiversity on the basis of site-specific conservation objectives for the relevant Natura 2000 sites, including making use of the possibility by APA to adjust and propose additional mitigating measures, if needed. This assessment is without prejudice to the infringement procedure 2015/2002 and ruling by the Court of Justice of the EU (Case 290/18, Judgment of 5 September 2019).
Commission Preliminary Assessment: Satisfactorily fulfilled

Loan support – Fourth instalment

Number: 5.44	Related Measure: RE-C05-i11: Scale-up: Mobilising Agendas/Alliances for Business Innovation		
Name of the Target: Conclusion of contracts to develop new products, processes or services in relevant strategic areas (Innovation Agendas).			
Quantitative Indicator: Number	**Baseline**: 12	**Target**: 28	**Time:** Q2 2023
Context: The objective of the investment is to strengthen Portugal's scientific and technological capabilities. This will be achieved via the deployment of ambitious research and innovation agendas based on consortia between business and technological/academic institutions. These agendas will support the development of several innovative Products, Processes and Services (*hereinafter referred to as PPS*) in specific fields. Target 5.44 requires *the c*onclusion of sixteen contracts (innovation pacts or mobilising projects supporting at least 446 PPS. The contracts have to include the relevant DNSH requirements and information on the entities of each consortium, the amounts of the investment and funding, the			

objectives of the PPS and monitoring systems in place. At least 366 of the PPS supported have to align with intervention field 021 (Technology transfer and cooperation between businesses, research centres and education sector).
Target 5.44 is the first target under this investment, and it will be followed by target 5.45 related to the completion of the PPS proposed by the consortia. The investment has a final expected date for implementation in Q4 2025.

Evidence Provided:

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the target (including the constitutive elements) was satisfactorily fulfilled.

ii) **Competition tender notice No. 02/C05-i01/2021**, published on 31 January 2022 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation), including the DNSH eligibility criteria.

iii) **Contracts (terms of acceptance) with the 16 consortia**, including the list of projects supported:

a. Contract with consortium leader DEFINEDCROWD CORPORATION UNIPESSOAL LDA, signed on 22 December 2022, constituting agenda "Accelerat.AI" supporting 11 products, processes or services;
b. Contract with consortium leader DOMINGOS DA SILVA TEIXEIRA S.A., signed on 21 April 2023, constituting agenda "R2UTechnologies - modular systems" supporting 18 products, processes or services;
c. Contract with consortium leader ALS LIFE SCIENCES PORTUGAL, S.A., signed on 30 November 2022, constituting agenda "SMARTgNOSTICS- Global Testing & Diagnostics Solutions for antimicrobial resistances" supporting 3 products, processes or services;
d. Contract with consortium leader IMPETUS PORTUGAL - TÊXTEIS S.A., signed on 31 March 2023, constituting agenda "TEXP@CT – Pacto de Inovação para a Digitalização do Têxtil e Vestuário" supporting 26 products, processes or services;
e. Contract with consortium leader INOVAMAR, LDA, signed on 03 April 2023, constituting agenda "Pacto da Bioeconomia Azul" supporting 13 products, processes or services;
f. Contract with consortium leader ATEP - AMKOR TECHNOLOGY PORTUGAL, S.A., signed on 12 December 2022, constituting agenda "Agenda Microeletrónica" supporting 25 products, processes or services;
g. Contract with consortium leader CARITE - CALÇADOS, LDA, signed on 13 March 2023, constituting agenda "FAIST - Fábrica Ágil Inteligente Sustentável e Tecnológica" supporting 34 products, processes or services;
h. Contract with consortium leader VOID SOFTWARE, S.A., signed on 30 September 2023, constituting agenda "BLOCKCHAIN.PT - Agenda "Descentralizar Portugal com Blockchain" supporting 26 products, processes or services;
i. Contract with consortium leader GEO SAT, LDA, signed on 16 September 2022, constituting agenda "New Space Portugal" supporting 9 products, processes or services;
j. Contract with consortium leader PROLÓGICA - SISTEMAS INFORMÁTICOS S.A., signed on 4 April 2023, constituting agenda "HfPT - Health from Portugal" supporting 99 products, processes or services;
k. Contract with consortium leader WOWSYSTEMS - INFORMÁTICA LDA, signed on 25 November 2022, constituting agenda "eGames Lab" supporting 6 products, processes or services;
l. Contract with consortium leader APS - ADMINISTRAÇÃO DOS PORTOS DE SINES E DO ALGARVE, S.A., signed on 1 February 2023, constituting agenda "NEXUS: Pacto de

Inovação – Transição Verde e Digital para Transportes, Logística e Mobilidade" supporting 27 products, processes or services;

m. Contract with consortium leader SENSEIDATA, S.A., signed on 9 March 2023, constituting agenda "PT Smart Retail: Portugal como referência para a nova geração de retalho autónomo e inteligente" supporting 4 products, processes or services;
n. Contract with consortium leader CAPGEMINI PORTUGAL, signed on 7 July 2023, constituting agenda "Route 25: Agenda for Autonomous, Intelligent, Interoperable and Inclusive Mobility" supporting 47 products, processes or services;
o. Contract with consortium leader EEA - EMPRESA DE ENGENHARIA AERONÁUTICA E AUTOMÓVEL, S.A., signed on 25 October 2022, constituting agenda "Aero.Next Portugal" supporting 24 products, processes or services;
p. Contract with consortium leader COLEP PACKAGING PORTUGAL, S.A., signed on 16 June 2023, constituting agenda "PRODUTECH R3 - Agenda Mobilizadora da Fileira das Tecnologias de Produção para a Reindustrialização" supporting 85 products, processes or services.

The authorities also provided:

iv) **Government order No. 43-A/2022** of 19 January, published in Portugal's Official Journal *Diário da República* No. 13/2022 (first series of 19 January 2022, pages 2-16), introducing the incentive system "Agendas for Business Innovation".
v) **Competition tender notice No. 01/C05-i01/2021**, published on 1 July 2021 and accessible on the websites of Recuperar Portugal and IAPMEI (Portuguese Agency for Competitiveness and Innovation).
vi) **Assessments by the implementing authority** (IAPMEI), signed on 3 November 2023, justifying the alignment of each consortia with intervention field 021 (14 documents, one per digital consortium).

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the target.

Conclusion of 16 additional contracts (innovation pacts or mobilising projects) with consortia [..].
The contracts (terms of acceptance) with the 16 consortia justify this requirement, signed on page 4 by the respective leader of the consortium in each contract. In this respect, the terms of acceptance ('Termos de Aceitação') are 'standard contractual clauses' which take the form of a 'contract of adhesion' (meaning contracts where one of the parties has limited to no negotiating power) in the Portuguese legal system. Section 2 of competition tender notice No. 02/C05-i01/2021 requires the agendas (Mobilising Agendas for Business Innovation) to take the form of either "Innovation pacts" or "Mobilising projects". These two types of consortia are defined in Article 2 of the annex to government order No. 43-A/2022.

[..] which shall include: i) Identification of the constituent entities of the consortium; ii) The business plan/investment; iii) the amount of funding; iv) The objectives to which the beneficiary is bound; v) The form of monitoring.

Such elements are included in the contracts (terms of acceptance) with the 16 consortia, where:

i) the constituent entities of the consortium are identified and listed in Annex IV;
ii) the business plan/investment of the consortia is outlined in clause 3 and Annex III (reporting the amounts of the overall investment and of the support provided, and how such amounts will be divided between entities and types of investments);

iii) the amount of financing (total support provided by the investment) is included in clause 6;
iv) the objectives of the beneficiaries are defined in annex V, outlining the products, processes and services to be developed by the beneficiary entities (consortia);
v) the form of monitoring, to which the beneficiary entities are bound, is outlined in clause 10 of the contracts with the 16 consortia, as well as in Article 20 of the annex to Government Order No. 43-A/2022 of 19 January.

The contracts shall support a total of at least 446 products, processes or services.
As demonstrated by Annex V to each of the contracts (terms of acceptance) signed with the 16 consortia, which reports the number of contracted products, processes or services (PPS), the total number of PPS supported by the contracts is 457.

Name of consortia leader/agenda	**Number of PPS**	**Number of digital PPS**
IMPETUS - TEXP@CT	26	26
Inovamar - Bioeconom	13	0
ATEP - Microeletrónica	25	25
CARITE - FAIST	34	34
PROLÓGICA - HfPT	99	99
VOID - BLOCKCHAIN	26	26
Domingos S.T. - R2UTechnologies	18	0
ALS - SMARTgNOSTICS	3	3
Geo Sat - New Space	9	9
DEFINEDCROWD - Accelerat.AI	11	11
WOWSYSTEMS - eGames	6	6
APS - NEXUS	27	27
SenseiData - PT Smart Retail	4	4
Capgemini - Route 25	47	47
COLEP - PRODUTECH R3	85	85
EEA - Aero.Next	24	24
Total	**457**	**426**

The terms of reference shall include eligibility criteria ensuring that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01), through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.
The terms of reference document "competition tender notice No. 02/C05-i01/2021" includes the relevant exclusion list and DNSH requirements as a binding requirement for each consortium (line "d" of section 4, and in Annex A). Then, in line "e" of section 4, it requires compliance with the relevant EU and national environmental legislation.

The contracts shall be additional to the contracts implemented in RE-C05-i01.01 and RE-C05-i09.
The contracts are additional to those in RE-C05-i01.01 and RE-C05-i09, as they are signed following the same competition tenders but with different consortia (see evidence section of assessments of targets 5.5 and 5.39).

At least 366 of the PPS shall align with intervention field 021 (Technology transfer and cooperation between businesses, research centres and education sector).

As explained above, the contracted agendas will take the form of innovation pacts or mobilising projects as defined in Article 2 of Government order No. 43-A/2022, which sets out the Mobilising Agendas incentive scheme (Article 8 of Government Order No. 43-A/2022). Per definition, these two types of projects represent cooperation between commercial companies (businesses), research centres and other institutes in the education sector. They also consist of, or at least have as one of their elements, technology transfers between businesses, academic institutions and technological centres, through the joint development of new innovative products or services.

This requirement of Article 8 of Government Order No. 43-A/2022 was later reflected in the competition tender notice No. 01/C05-i01/2021. In section 2.3, the competition tender notice states that the agendas shall take the form either of "Innovation pacts" or "Mobilising projects". Furthermore, section 3.1 of competition tender notice No. 01/C05-i01/2021 outlines the objective of the agendas, closely aligning it to intervention field 021: *"The Agendas aim to become an innovative course of action, through a new approach incorporating a wide range of instruments and support to promote innovative production based directly on R & D, as a way to change the economic profile of the Portuguese economy, combining knowledge, technology transfer and innovation for businesses in a more direct way. The Agendas will implement collaborative projects covering the whole innovation cycle, from R & D, focusing on high TRLs, to market commercialisation, with a clear focus on supporting technologically advanced production.".*

To justify the digital contribution of this investment, Portugal also provided 14 assessments signed by the implementing authority (IAPMEI). These documents explain how 14 out of the 16 agendas under this investment, developing a total of 426 PPS, provide a digital contribution under intervention field 021. More specifically, these documents give examples of how the workstreams under each agenda will provide a material digital contribution, by developing innovative digital products, processes or services. As one example, for the agenda "Route 25", the document explains that its 47 PPS will develop, among others (i) a smart parking tool to monitor parking spaces, providing data and information on occupancy trends (ii) a travel payment app, providing digital parking solutions and payments.

The Council Implementing Decision required that at least 366 PPS shall align with intervention field 021. At this point in the project life cycle, the alignment of PPSs with intervention filed 021 can only be shown at the level of Agendas (both innovation pacts and mobilising agendas), because the PPS are still in project phase. The alignment of the required 366 PPS with intervention field 021 can only be assessed upon their completion, and this assessment will take place under target 5.45. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, this minimal deviation is acceptable, as the evidence provided justifies alignment with intervention field 021 at agenda-level. As alignment with intervention field 021 will be assessed at PPS-level in the context of the next target (5.45) of the investment, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

Commission Preliminary Assessment: Satisfactorily fulfilled

Number: 7.11	Related Measure: RE-C07-i04: Business reception areas - road accessibility
Name of the Milestone: Contracts signed for 10 road projects	
Qualitative Indicator: Contract signed with contractor for the road projects	**Time:** Q2 2023
Context: The objective of the investment is to improve the road network connectivity and accessibility to	

business parks, for them to be more competitive therefore contributing to increase industrialisation in rural areas.
Milestone 7.11 concerns the signature of contracts for ten road projects.
Milestone 7.11 is the first step of the implementation of the investment and it will be followed by target 7.12 related to 42 kms of road built or rehabilitated. The investment has a final expected date for implementation in Q4 2025.

Evidence provided:
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

i) **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
ii) **Ten contracts** and **respective links** to the website where they are published for the following road projects:
   a. **Connection to the Mundão industrial park: removing constraints in EN229 Viseu/ Sátão:** contract signed on 22 April 2022 between the promoting body Infraestruturas de Portugal, and successful tenderer Irmaos Almeida Cabral.
   Link:https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9206511
   b. **Accessibility to the Riachos industrial zone**: contract signed on 27 April 2022 between the promoting body Infraestruturas de Portugal, and successful tenderer Construçoes Pragosa, SA.
   Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9214644
   c. **Connection to Fontiscos industrial park and rehabilitation of the node Ermida (Santo Tirso):** contract signed on 18 July 2022 between the promoting body Infraestruturas de Portugal, and successful tenderer Cândido José Rodrigues, S.A.
   Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9375664
   d. **Connection to the Mundão industrial park: EN229 – ex-IP5 / Mundão industrial park:** contract signed on 30 November 2022 between the promoting body Infraestruturas de Portugal, and successful tenderer Embeiral Engenharia e Construção.
   Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9601607
   e. **Connection of the A11 to the industrial zone of Cabeça de Porca (Felgueiras):** contract signed on 17 February 2023 between the promoting body Infraestruturas de Portugal, and successful tenderer Alexandre Barbose Borges, S.A.
   Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9863128
   f. **Connection of the EN114 to the Rio Maior industrial zone**: contract signed on 7 December 2022 between the promoting body Infraestruturas de Portugal, and successful tenderer Construções Pragosa, S.A.
   Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9773451
   g. **EN248 (Arruda dos Vinhos) bypass:** contract signed on 22 April 2022 between the promoting body Infraestruturas de Portugal, and successful tenderer the consortium Lena Engenharia e Construções, S.A. and Nov Pro Construções, S.A.
   Link:https://base.gov.pt/Base4/pt/detalhe/?type=contratos&id=8187988
   h. **Via do Tâmega of EN210 (Celorico de Basto) bypass**: contract signed on 26 June 2023 between the promoting body Infraestruturas de Portugal, and successful tenderer Alberto Couto Alves, S. A., covering the typology 'empreitadas de obras publicas'.
   Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=10098012
   i. **Roundabout at EN246 for access to Portalegre industrial zone:** signed on 25 August 2022 between the promoting body Municipio de Portalegre, and successful tenderer Construções Pragosa, SA.
   Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=9425286
   j. **Improvement of accessibility to the Campo Maior Industrial Area:** signed on December 2022 with the promoting body Infraestruturas de Portugal, and

successful tenderer Construções Pragosa, SA.
Link: https://www.base.gov.pt/Base4/pt/detalhe/?type=contratos&id=10117575

iii) **Ten tender specifications** published on the following dates in the following portal:
   a. **Connection to the Mundão industrial park: removing constraints in EN229 Viseu/ Sátão**, published in Portugal's Official Journal *Diário da República* No. 201/2021 (serie 2 of 15/10/2021)
   b. **Accessibility to the Riachos industrial zone;** published in Portugal's Official Journal *Diário da República* No. 221/2021 (serie 2 of 15/11/2021)
   c. **Connection to Fontiscos industrial park and rehabilitation of the node Ermida (Santo Tirso):** published in Portugal's Official Journal *Diário da República* No. 60/2022 (serie 2 of 25/03/2022)
   d. **Connection to the Mundão industrial park: EN229 – ex-IP5 / Mundão industrial park:** published in Portugal's Official Journal *Diário da República* No. 122/2022 (serie 2 of 27/06/2022)
   e. **Connection of the A11 to the industrial zone of Cabeça de Porca (Felgueiras):** published in Portugal's Official Journal *Diário da República* No. 179/2022 (serie 2 of 15/09/2022)
   f. **Connection of the EN114 to the Rio Maior industrial zone**: published in Portugal's Official Journal *Diário da República* No. 104/2022 (serie 2 of 30/05/2022)
   g. **EN248 (Arruda dos Vinhos) bypass:** published in Portugal's Official Journal *Diário da República* No. 148/2021 (serie 2 of 02/08/2021)
   h. **Via do Tâmega of EN210 (Celorico de Basto) bypass**: published in Portugal's Official Journal *Diário da República* No. 48/2023 (serie 2 of 08/03/2023)
   i. **Roundabout at EN246 for access to Portalegre industrial zone:** published in Portugal's Official Journal *Diário da República* No. 10/2022 (serie 2 of 14/01/2022)
   j. **Improvement of accessibility to the Campo Maior Industrial Area:** published in Portugal's Official Journal *Diário da República* No. 26/2023 (serie 2 of 06/02/2022)

iv) **Environmental Impact Statement for project Via do Tâmega of EN210 (Celorico de Basto) bypass** issued by the Portuguese Environmental Agencyon 12 July 2022

v) **Environmental Impact Statement for project Roundabout at EN246 for access to Portalegre industrial zone.** issued by the Portuguese Environment Agency on 5 March 2007 and reconfirmed on 24 August 2022.

vi) **Environmental Impact Statement for project Improvement of accessibility to the Campo Maior Industrial Area** issued by the Portuguese Environmental Agency on 28 August 2022

vii) **Seven verifications of the applicability of the EIA legal regime** issued by the Portuguese Environmental Agency stating that the projects are not subject to an Environmental Impact Assessment (EIA) pursuant to Directive 2011/92/EU, concerning the following road projects on the following dates:
   a. **Connection to the Mundão industrial park: removing constraints in EN229 Viseu/ Sátão:** 28 December 2022
   b. **Accessibility to the Riachos industrial zone**: 11 May 2020
   c. **Connection to Fontiscos industrial park and rehabilitation of the node Ermida (Santo Tirso):** 3 March 2021
   d. **Connection to the Mundão industrial park: EN229 – ex-IP5 / Mundão industrial park:** 14 June 2021
   e. **Connection of the A11 to the industrial zone of Cabeça de Porca (Felgueiras):** 15 November 2021
   f. **Connection of the EN114 to the Rio Maior industrial zone**: 29 November 2011
   g. **EN248 (Arruda dos Vinhos) bypass:** 4 May 2020

viii) **Three statements from the beneficiaries** demonstrating how any result or condition from the Environmental Impact Assessment has been fully incorporated to ensure compliance with the

'Do no significant harm' Technical Guidance (2021/C58/01) at the stages of construction, operation and decommissioning of the infrastructure, concerning the following road projects issued on the following dates:

a. **Via do Tâmega of EN210 (Celorico de Basto) bypass**: 7 September 2023
b. **Roundabout at EN246 for access to Portalegre industrial zone:** 15 September 2023
c. **Improvement of accessibility to the Campo Maior Industrial Area:** 7 September 2023

Analysis:

The justification and substantiating evidence provided by the Portuguese authorities covers all constitutive elements of the milestone.

Signature by the parties of the document governing their obligations in relation to the execution of the works, at a price [for ten road projects]…

Ten contracts were signed by the implementing body of the investment, *Infraestruturas de Portugal* and the respective construction companies between 22 April 2022 and 07 February 2023. The contracts are publicly available in the government portal BASE, (respective links).

The signed contracts cover the following roads (clause 1 of each of the ten contracts):

i. Project i. Connection to the Mundão industrial park: removing constraints in EN229 Viseu/ Sátão
ii. Project ii. Accessibility to the Riachos industrial zone
iii. Project iii. Connection to Fontiscos industrial park and rehabilitation of the node Ermida (Santo Tirso)
iv. Project iv. Connection to the Mundão industrial park: EN229 – ex-IP5 / Mundão industrial park
v. Project v. Connection of the A11 to the industrial zone of Cabeça de Porca (Felgueiras)
vi. Project vi. Connection of the EN114 to the Rio Maior industrial zone
vii. Project vii. EN248 (Arruda dos Vinhos) bypass
viii. Project viii. Via do Tâmega of EN210 (Celorico de Basto) bypass
ix. Project ix. Roundabout at EN246 for access to Portalegre industrial zone
x. Project x. Improvement of accessibility to the Campo Maior Industrial Area

All contracts foresee a timeline of execution of the works (clause 2 of each of the ten contracts). The pricing of the projects is also reflected (clause 3 of each of the ten contracts).

…following a public tender procedure

The Portuguese authorities provided ten tender specifications (see evidence iii a-j), proving that a public tender took place between October 2021 and December 2022.

The tender specifications for all projects are presented in two parts, the first being the general clauses and the second being the specifications of the project.

Furthermore, in line with the description of the measure, **any road project potentially likely to have significant negative effects on the environment shall be subject to an Environmental Impact Assessment (EIA) pursuant to Directive 2011/92/EU, to ensure compliance with the DNSH principle is integrated into the project and strictly complied with at the stages of construction, operation and decommissioning of the infrastructure.**

Compliance with the DNSH principle has been ensured as follows:

The following road projects were not subject to environmental impact assessment according to the Portuguese legislation transposing the EIA Directive (page 1 of seven verifications of the applicability of the EIA legal regime):

i. Connection to the Mundão industrial park: removing constraints in EN229 Viseu/ Sátão
ii. Accessibility to the Riachos industrial zone
iii. Connection to Fontiscos industrial park and rehabilitation of the node Ermida (Santo Tirso)
iv. Connection to the Mundão industrial park: EN229 – ex-IP5 / Mundão industrial park

v. Connection of the A11 to the industrial zone of Cabeça de Porca (Felgueiras)
vi. Connection of the EN114 to the Rio Maior industrial zone
vii. EN248 (Arruda dos Vinhos) bypass

because they are shorter than 10 km and the projects are not expected to have significant negative effects on the environment (pages 1-2 for project i., pages 6-7 for project ii., pages 3-7 for project iii., pages 5-7 for project iv, pages 3-5 project v., page 1 for project vi., pages 4-5 for project vii of the seven verifications of the applicability of the EIA legal regime).

Three projects were subject to environmental impact assessment:

Project ix. Roundabout at EN246 for access to Portalegre industrial zone has been subject to an EIA under Directive 2011/92/EU. The EIA was carried out and the Environmental Impact Statement for project Roundabout at EN246 for access to Portalegre industrial zone That was issued by the Portuguese Environmental Agency on 5 March 2007 and reconfirmed on 24 August 2022 set out the general and specific mitigating measures that should be included in the projects at the stages of construction, operation and decommissioning of the infrastructure (pages 1-6 of the Environmental Impact Statement for project Roundabout at EN246 for access to Portalegre industrial zone).

Project viii. Via do Tâmega of EN210 (Celorico de Basto) bypass and project x. Improvement of accessibility to the Campo Maior Industrial Area have been subject to an EIA under Directive 2011/92/EU. The EIAs were carried out and two Environmental Impact Statements were issued by the Portuguese Environmental Agency on 12 July 2022 and 28 July 2022, to set out the mitigating measures that should be included in the projects at the stages of construction, operation and decommissioning of the infrastructure (pages 13-20 of Environmental Impact Statement for project Via do Tâmega of EN210 (Celorico de Basto) bypass and pages 12-21 of Environmental Impact Statement for project Improvement of accessibility to the Campo Maior Industrial Area).

The three statements from the beneficiaries show how all mitigating measures required by the Environmental Impact Statements for Project Via do Tâmega of EN210 (Celorico de Basto) bypass, Project Roundabout at EN246 for access to Portalegre industrial zone and Project Improvement of accessibility to the Campo Maior Industrial Area have been integrated into the projects. For instance, Infrastructure Portugal indicates in the statement for the project Via do Tâmega of EN210 (Celorico de Basto) bypass that the project includes structures that ensure the passage of fauna under the new road through three viaducts guaranteeing the connectivity of habitats. This follows a recommendation from the relevant Environmental Impact Statement to limit the impact on habitat fragmentation and barrier effect.

Commission Preliminary Assessment: Satisfactorily fulfilled