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Espanha & Associados

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What we say about the firm's

legal practice in Portugal

Corporate and M&A

Within [Corporate and M&A](#), tier 6

With a ' *deep knowledge of contracts matters*' Rita Beirão heads the ' *business oriented*' corporate team at **Espanha & Associados**. Recently the team advised on the €12m acquisition of a restaurant's establishments and brand. João Espanha is appreciated for his ' *technical knowledge and reactivity*'.

Employment

Within [Employment](#), tier 4

Luís Almeida Carneiro leads the employment practice at **Espanha & Associados**. The team is active in union negotiations and company policy restructuring.

Tax

Within [Tax](#), Espanha & Associados is a third tier firm,

Elsa Rodrigues heads the tax department at **Espanha & Associados**, traditionally held in high regard thanks to the leading reputation of founding partner João Espanha. Despite its comparatively small size, the team has attracted instructions from a number of high-profile clients. The team advised on a €500,000 thin capitalisation matter, with the client instructing the firm to challenge tax authorities. The team eventually secured a complete win. The team also provided legal assistance in connection with a €110m MBO transaction for its client, an Iberian company involved in the health clubs sector. Clients say, ' *the team is capable of dealing with sophisticated matters, particularly when advising on the tax structure aspects of corporate restructuring and acquisitions*'.

What we say worldwide

Please choose another Espanha & Associados office to view full details of what we say in that region, or choose from this list to view a specific editorial reference in context.

Portugal

Offices in [Lisbon](#)

- [Corporate and M&A](#) : [Corporate and M&A](#)
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LEGAL DEVELOPMENTS IN PORTUGAL

Legal Developments and updates from the leading lawyers in each jurisdiction. To contribute, send an email request to legal500.com@legalease.co.uk

REDUCTION OF THE TERM OF THE GUARANTEE TO BE GRANTED FOR VAT REFUND PURPOSES

Last June 5 was published Decree-Law No. 136-A/2009 that reduced the term of the guarantee that the taxpayers have to grant to the Tax Authorities when requesting VAT refunds, from one year to six months.

- Abreu Advogados

Micro-generation and tax benefits on renewable energies

On February 2, 2008, decree-law no 363/2007 came into force and the production of energy in Portugal entered a new era. The principle behind the new law is to save energy, reduce costs and protect the environment. Indeed, consumers are now allowed to produce electricity themselves through small power plants, ie not exceeding 5.75 kW, and sell the surplus to the public network with a limit of 150 kW.

- Abreu Advogados

Foreign Investment Company – A new business category in China

It is expected 2009 to be the year that the Ministry of Commerce of the People's Republic of China will offer foreign investors new (and interesting) enterprise structure possibilities in China mainland.

- CCA - Carlos Cruz & Associados

Newsletter: March 2009 - Advertising - Information - Duties - Commercialisation

INFORMATION DUTIES IN THE COMMERCIALISATION ON INDEXED AND DUAL DEPOSITS, COMPLEX FINANCIAL PRODUCTS

- CCA - Carlos Cruz & Associados

Portugal: Mergers and Acquisitions 2008/09

2007 demonstrated Portuguese shareholders' opposition to hostile bids. Two major hostile public takeovers were announced in 2006, which involved four of the most important groups of Portuguese companies (that is, the general public bid announced by Sonae Group for the

Telecom and the general public bid announced by Banco Comercial Português for the acquisition of shares issued by Banco BPI). Both failed by a large percentage.

- F. Castelo Branco & Associados

Brussels: Part of the problem or part of the cure

Iberian lawyers in Brussels question the willingness of the European Commissions to be flexible in the face of the continuing financial crisis.

- Abreu Advogados

Energy Certification and the Quality of Air in Buildings

On 1 January 2009, the National Energy Certification and Quality of Air in Buildings System (SCE), as set out in Ministerial Order 4661/2007, of 5 June (the .MO.), came fully into force. This means that nearly all the properties that have already been built or those that will be built in the future in Portugal are or will come under this system.

- PLMJ - A. M. Pereira, Sáragga Leal, Oliveira
Mart

Doing Business in Portugal and Poland

Portugal is the western most country of mainland Europe and is bordered by the Atlantic Ocean to the west and south and by Spain to the north and east and also encompasses two autonomous Atlantic regions, notably the Azores and Madeira archipelagos. Portugal has an area of 92,090 km² and 10,676,910 inhabitants (2008 estimate). It is a founding member of the OECD and NATO and is member of the European Union since 1986.

- PLMJ - A. M. Pereira, Sáragga Leal, Oliveira
Mart

New tax forms for interest and royalties.

The new forms for reducing the amount of corporate income (IRC) tax to be withheld (MOD. 01-DJR) and for the partial refund of IRC (MOD. 02-DJR) withheld on the payment of interest and royalties between associate companies from different European Union Member- States under the Interest and Royalties Directive were approved in February. The directive, which had already been transposed into national law, set up a tax regime for interest and royalties payments, guaranteeing equal tax treatment for national and cross-border transactions and eliminating double taxation by abolishing taxes on interest and royalty payments in the Member-State from which they derive, and having these taxed solely in the Member-State of residence of the actual beneficiary.

- PLMJ - A. M. Pereira, Sáragga Leal, Oliveira
Mart

COMMUNITY FREEDOMS, DISCRIMINATION AND INCOME TAXATION IN PORTUGAL

The EC Treaty enshrines several economic freedoms: free movement of workers, capital and services and freedom of establishment safeguarded by a prohibition on discrimination which, over the years, has shown huge potential for calling into question various Member-State tax provisions in the field of direct taxation.

- PLMJ - A. M. Pereira, Sáragga Leal, Oliveira
Mart