



ORDEM  
DOS  
PSICÓLOGOS

# *Portuguese Laws and Regulations*

THE ORDEM DOS PSICÓLOGOS PORTUGUESES LEGAL FRAMEWORK  
JUNE 2011

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# *Portuguese Laws and Regulations*

THE ORDEM DOS PSICÓLOGOS PORTUGUESES LEGAL FRAMEWORK  
JUNE 2011

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Lei Nº 57/2008, de 4 de Setembro

## *Law Nº 57/2008, 4th September*

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### **ASSEMBLY OF THE REPUBLIC**

Law n.º 57/2008

4th September

#### **CREATES THE ORDEM DOS PSICÓLOGOS PORTUGUESES AND APPROVES ITS STATUTE**

The Assembly of the Republic, decrees, pursuant to sub-heading c) of Article 161 of the Constitution, the following:

#### **Article 1 Object**

The Ordem dos Psicólogos Portugueses is created and its Statute approved, as published in an addendum to the current law, and forms an integral part of it.

#### **Article 2 Professions Covered**

The Ordem dos Psicólogos Portugueses covers psychology professionals, who, in accordance with the respective Statute and applicable legal provisions, practice professionally as psychologists.

#### **Article 3 Duties**

1 — The duties of the Ordem dos Psicólogos Portugueses are as follows:

- a) To defend the general interests of its users;
- b) To represent and defend the general interests of the profession;
- c) To regulate the access to and practice of the profession;
- d) To exclusively grant professional titles;
- e) To grant, pursuant to the Statute, professional specialist titles;
- f) To create the professional register and maintain it updated;
- g) To exercise disciplinary power over members;
- h) To be of service to members, with regard to professional practice, namely with regard to information and professional training;
- i) To collaborate with other Public Administration bodies in the pursuit of goals in the public interest which are related to the profession;
- j) To participate in the creation of legislation relating to the profession in question;
- l) To participate in professional accreditation processes and in the assessment of courses providing access to the profession;
- m) Any others that are undertaken by law.

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## **Article 4** **Administrative Tutelage of the** **Ordem dos Psicólogos Portugueses**

The administrative tutelage powers of the Ordem dos Psicólogos Portugueses laid down in Law n.º 6/2008, of the 13th February, and in the respective Statute, are practiced by the member of the Government responsible for the health sector.

## **Article 5** **Registration with the Ordem dos Psicólogos** **Portugueses**

1 — Psychology professionals, may, within a period of 11 months from the approval of this Statute, apply to register with the Order.

2 — The acceptance or refusal of the application is subject to a two thirds majority by the members of the Foundation Committee and can only be refused pursuant to Article 51 of the Statute of the Order, in an addendum to this law.

## **Article 6** **Entry into Force**

This law enters into force 30 days following its publication.

Approved on 18th July 2008.

The President of the Assembly of the Republic, Jaime Gama.

Promulgated on the 25th August 2008.

Let it be published.

The President of the Republic, ANÍBAL CAVACO SILVA.

Ratified on the 26th August 2008.

The Prime Minister, José Sócrates Carvalho Pinto de Sousa.

## **ANNEX** **STATUTE OF THE ORDEM DOS PSICÓLOGOS** **PORTUGUESES**

### **CHAPTER I** **NATURE, SCOPE AND MISSION**

#### **Article 1** **Nature**

1 — The Ordem dos Psicólogos Portugueses, hereinafter referred to as Order, is the public professional association which represents psychology professionals who, in compliance with the rulings of this Statute and the applicable legal provisions, practice professionally as psychologists.

2 — The Order is a legal person governed by public law and in exercising its public authority, practices the necessary administrative acts for the performance of its duties and approves the regulations foreseen in the law and herein.

3 — With the exception of the cases foreseen in the law, the acts and regulations of the Order are not subject to government approval.

4 — The Order has its own assets and finances, as well as budgetary autonomy.

5 — Financial autonomy includes the power to set the amount of the monthly or annual fee for its members, under the terms of the law.

#### **Article 2** **Scope, Head Office and Regional Offices**

1 — The Order is national in scope.

2 — Notwithstanding that set forth in paragraph 1, the Order may include regional and local structures, which it directs to undertake its duties in the field in question.

3 — The Order's head office is in Lisbon and it has regional offices in the North, Centre, South and autonomous regions.

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### Article 3 Mission

The Order's mission is to exercise control of and access to the profession of psychologist, as well as to develop technical and ethical standards and exercise disciplinary power over its members, within the framework of an autonomous disciplinary structure.

### Article 4 Principles of Action

The Order acts in accordance with the principles of legality, equality, proportionality, justice and impartiality.

### Article 5 Logo

The Order is entitled to use its own logo and stamps, in accordance with the templates to be approved by the Assembly of Representatives, upon proposal submitted by the Executive Board.

## CHAPTER II THE ORDER'S STRUCTURE

### SECTION I GENERAL PROVISIONS

#### Article 6 Territoriality and Power

1 — The Order has national and regional bodies and is entitled to establish professional specialty colleges.

2 — The duties of the bodies are defined in accordance with the scope or specialisation of the subjects.

#### Article 7 National Bodies

The Order's national bodies are:

- a) The Assembly of Representatives;
- b) The Executive Board;
- c) The President;
- d) The Judicial Committee;
- e) The Fiscal Council.

#### Article 8 Regional Bodies

The bodies of the regional offices are:

- a) The Regional Assembly;
- b) The Regional Board.

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**Article 9  
Professional Specialty Colleges**

In each professional specialty college there is a professional specialty council.

**Article 10  
Performance of Duties**

1 — Notwithstanding the provisions in the following paragraph, or payment by the Order for any representation or travel expenses while at the Order's service, the performance of professional duties for the Order's bodies is not remunerated.

2 — By deliberation by the Assembly of Representatives, permanent executive positions may be remunerated.

**SECTION II  
ELECTIONS**

**Article 11  
Election Committee**

In the elections for the national and regional bodies the Board of the Assembly of Representatives undertakes the duties of the Election Committee.

**Article 12  
Candidatures**

1 — Lists for the national and regional bodies are presented before the respective President of the Board of the Assembly of Representatives.

2 — Each list must be signed by a minimum of 100 full members for the national bodies and 30 for the regional bodies and must include the names of all the candidates for each of the bodies, with the declaration of acceptance.

3 — Candidatures are presented until the 15th September of the year immediately prior to the subsequent three-year term.

**Article 13  
Electoral Registers**

1 — Electoral registers must be affixed at the national head office 45 days prior to the date of the electoral assembly.

2 — Any voting member may lodge a complaint with the Election Committee about an irregular registration or omission on the electoral register, within 15 days after the register has been affixed and the Committee will make a decision about the complaint within 48 hours.

**Article 14  
Electoral Commission**

1 — The Electoral Commission is comprised of the President of the Presiding Board of the Assembly of Representatives and by three representatives from each of the competing lists, and begins duties twenty four hours after the candidatures have been presented.

2 — The representatives from each of the competing lists must be indicated together with the submission of the respective candidatures.

3 — The duties of the Electoral Commission are:

a) To oversee the election process and resolve any issues that arise within its framework;

b) To prepare reports on irregularities detected and present them to the Election Committee;

c) To offer the different lists of candidates the use of the support made available by the Order's Board.



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**Article 15**  
**Suppression of Irregularities**

1 — The election committee must verify if there are any irregularities within five days after the closing date for the submission of the candidates' lists.

2 — With a view to amending any irregularity found, the documentation shall be returned to the first signee on the list, who should correct it within three working days.

3 — After the deadline in paragraph 2 above has passed without the correction being made to the candidatures, the Election Committee shall reject them within the following twenty four hours.

**Article 16**  
**Ballot Papers**

1 — The ballot papers are edited by the Order and overseen by the Election Committee.

2 — The ballot papers and the candidates' lists are sent to all electoral assembly members up to 10 working days prior to the date set for the electoral act and are available at the place of voting.

**Article 17**  
**Identity of the Voters**

Voters are identified by means of their professional certificate or, in its absence, their identity card or any other identifying document which has a photograph, which the ballot table deems acceptable.

**Article 18**  
**Voting**

1 — The elections are universal suffrage.

2 — Only members who are fully exercising their rights are entitled to vote;

3 — In the case of voting by correspondence, ballots should be placed in a closed registered envelope with an accompanying letter signed by the voter with a photocopy of their professional certificate.

4 — Voting by proxy is not permitted.

**Article 19**  
**Election date**

1 — The elections for the national and regional bodies take place during the last quarter of the year immediately prior to the subsequent three year term.

2 — The date is the same for all bodies.

**Article 20**  
**Mandates**

1 — The members of the elective bodies are elected for a term of three years.

2 — The re-election of members of national or regional bodies for a third consecutive term for the same position is not permitted.

3 — The mandate and how the members of specialty councils are elected are listed in separate regulations.

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**Article 21  
Ballot Assemblies**

For election purposes, there must be at least the same number of ballot assemblies as regional offices, in addition to the ballot table at the national head office.

**Article 22  
Complaints and Appeals**

1 — Voters can lodge a complaint regarding irregularities in the electoral act, which should be submitted to the Election Committee within three days after voting has closed.

2 — The Election Committee must assess the complaint within forty eight hours and the decision be informed to the appellant in writing and affixed at the Order's head office.

3 — An appeal against the decision by the Election Committee can be lodged with the Judicial Committee, within eight working days counting from the date on which the appellants were informed of the decision by the Election Committee.

4 — The Judicial Committee is called for such purpose by the respective president, within the following eight days.

**Article 23  
Election Financing**

The Order subsidises election expenses for an amount to be set by the Executive Board.

**Article 24  
Taking Office**

All elected bodies shall take office within one month after elections have been held.

**Article 25  
Dismissal, Resignation and Suspension**

1 — Members of the bodies of the Order are entitled to resign from the mandate for which they have been elected.

2 — Any member of the Order's bodies may request a temporary suspension from duties, for duly justified reasons, however, the suspension period cannot exceed six months.

3 — Notice of the resignation from or suspension of the mandate must be given to the Presidents of the respective bodies, as well as to the President of the Board of the Assembly of Representatives.

4 — An exception to paragraph 3 above is the resignation of the Bastonário or President, which should be submitted to the President of the Board of the Assembly of Representatives.

5 — The resignation of over half the members elected for a particular body, after all the replacements have been made by the respective alternates elected, makes it mandatory for elections to be held for the body in question.

SECTION III  
**NATIONAL BODIES**

**Article 26  
Assembly of Representatives**

The Assembly of Representatives is comprised of 50 members and elected by universal suffrage and the system of proportional representation, within the territories to which the regional bodies correspond, pursuant to Article 2 herein.

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### Article 27 Duties of the Assembly of Representatives

It is the duty of the Assembly of Representatives to:

- a) Elect and dismiss the Board, pursuant to this Statute;
- b) Approve the budget, activity plan, report and accounts, proposals to alter the Statute, approve regulations, fees and rates, create specialty colleges or sign protocols with counterpart associations upon proposal by the Board.

### Article 28 Operation

1 — The Assembly of Representatives meets ordinarily:

- a) For the election of the Board of the Assembly of Representatives and the Judicial Committee;
- b) For the approval of the budget and activity plan, as well as the Management report and accounts.

2 — The Assembly of Representatives meets extraordinarily whenever circumstances deem it necessary to do so and when convened by the President of his own initiative or at the request of the Board, regional Boards or a minimum of one third of its members;

3 — If at the time of the start of the Assembly of Representatives at least half of the full members are not present, the Assembly shall start an hour later, with the presence of any number of members.

4 — The Assembly of Representatives convened to discuss the vote on the management report and accounts, shall take place until the end of March in the year immediately after the financial year in question.

### Article 29 Call for Meeting

1 — A meeting of the Assembly of Representatives is called by the President via notice sent by post to each of the full members at least 15 days prior to the date set for the assembly.

2 — The agenda, time and place where the assembly shall take place should be included in the notice letter.

### Article 30 Presiding Board of the Assembly of Representative

The Presiding Board of the Assembly of Representatives is comprised of the President and two secretaries.

### Article 31 Executive Board

The Executive Board is comprised of the President, who is the head, two Vice-Presidents, a Treasurer, a Secretary and an even number of voting members, with a minimum of four.

### Article 32 Duties

It the duty of the Executive Board to:

- a) Decide on the acceptance of applications for registration or order their cancellation, at the member or applicant's request or upon decision by the Judicial Committee;
- b) To create and maintain updated a register of all psychologists;
- c) To propose the creation of the framework of professional psychology specialties, to propose Foundation Committees for the Specialty Colleges

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and submit the access conditions, internal and electoral regulations and submit them for approval by the Assembly of Representatives;

d) To undertake the decisions made by the Assembly of Representatives;

e) To prepare and approve regulations;

f) To manage the Order's national activity;

g) To promote the establishment of regional offices and coordinate their activity;

h) To provide, directly or via committees set up for such purpose, opinions and information to public and private bodies, within the framework of the Order's powers;

i) To collect fees and undertake the expenses foreseen in the budget;

j) To prepare and present the annual plan and report, accounts and budget to the Assembly of Representatives.

### **Article 33** **Operation**

1 — The Executive Board meets ordinarily once a month and extraordinarily when convened by the President.

2 — The Executive Board can only deliberate validly if over half its members are present.

3 — Deliberations are by majority vote of the members present, with the President being entitled to the casting vote.

### **Article 34** **President**

The 'Bastonário' is the President of the Executive Board.

### **Article 35** **Duties**

It is the duty of the President to:

a) Represent the Order in and out of court, namely before sovereign bodies and community and international organisations;

b) To preside over the Executive Board, with the casting vote;

c) To perform and order the performance of the deliberations made by the Executive Board and other national bodies;

d) To perform the duty of the Executive Board in emergency situations in which such duty is delegated onto him;

e) To ensure the normal operation of the Order's services, in respect to the Law, the Statute and respective regulations;

f) To appoint the Vice-President who shall replace him in his absence.

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### **Article 36** **Eligibility**

For the candidature of the position of the President it is required for the full member to have practiced professionally for a minimum of 10 years.

### **Article 37** **Enforcement**

1 — For the Order to be legally bound, the signatures of the President and another acting member are required.

2 — The Executive Board may grant power of attorney for particular acts, stating the scope and time frame of such powers granted.

### **Article 38** **Joint and Several Liability**

1 — Members of the bodies are jointly liable for the acts performed during the course of their mandate.

2 — Members exempt from this liability are those who were not present whereupon such deliberation was taken or if they were present, they expressly voted against the deliberation in question.

### **Article 39** **Judicial Committee**

The Judicial Committee is comprised of five members and assisted by a legal consultant, in that one of the members is the President and the others are voting members.

### **Article 40** **Duty**

It is the duty of the Judicial Committee to:

- a) Ensure the compliance of the law, the Statute and internal regulations, by both the bodies of the Order and all of its members;
- b) Give an opinion on proposals for regulations;
- c) Instruct and judge all the disciplinary proceedings brought against members;
- d) Draw up the minutes of meetings held.

### **Article 41** **Operation**

1 — The Judicial Committee assembles at the Order's head office when convened by its President.

2 — Deliberations are by majority vote, with the President having the casting vote.

### **Article 42** **Fiscal Council**

The Fiscal Council is comprised of one President and two voting members, one of whom is obliged to be a Chartered Accountant.

### **Article 43** **Duties**

It is the duty of the Fiscal Council to:

- a) Examine and issue an opinion on the annual accounts to be presented by the Board to the Assembly of Representatives;
- b) Submit suggestions to the Executive Board that it deems to be of interest;
- c) Assess the minutes drawn up in Executive Board meetings;
- d) Draw up the minutes of its meetings.

## **SECTION IV** **REGIONAL OFFICES**

### **Article 44** **Regional Bodies**

1 — The Regional Assembly is comprised of all the members who are registered with the Order whose professional address is situated in the geographical area within the scope of the regional office.

2 — The Regional Board is comprised of one President and an even number of voting members with a minimum of two.

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**Article 45**

**Duty**

1 — It is the duty of the Regional Assembly to:

- a) Elect its presiding board and members of the Regional Board;
- b) Approve the budget, activity plan and accounts of the Regional Board;
- c) To deliberate on matters of regional scope of its own initiative or at the request of the Regional Board.

2 — It is the duty of the Regional Board to:

- a) Represent the Order in the geographical area in question; namely before public bodies that perform their duties there, whenever it is ordered to do so by the Executive Board;
- b) To put the deliberations of the Assembly of Representatives and Regional Assembly into practice. As well as the directives from the Executive Board;
- c) To exercise the powers delegated by the Executive Board;
- d) To comply with the budget for the regional office;
- e) To manage regional services;
- f) To prepare and present the annual report and accounts approved by the Regional Assembly to the Executive Board;
- g) To deliberate on any matter, providing it is not included in the specific duties of the remaining bodies.

SECTION V

**PROFESSIONAL SPECIALTY COLLEGES**

**Article 46  
Specialties**

1 — Specialty colleges may be created whenever a particular subject is deemed to have particular technical and scientific characteristics, the importance of which requires specialised knowledge or professional practice.

2 — Each college is comprised of all the members for whom such specialty is recognised.

**Article 47  
Foundation Committee**

1 — Whenever a professional specialty college is formed, the Executive Board must nominate a Foundation Committee comprised of a President, a Secretary and three Voting Members, with a deadline in which to prepare a proposal for the access conditions and internal and electoral regulations to be submitted for approval by the Assembly of Representatives.

2 — Once the access conditions and internal and electoral regulations have been approved, the Foundation Committee shall proceed to register psychologists who fulfill the conditions stipulated for the title of specialist, after which the election process shall begin.

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**Article 48  
Specialty Council**

1 — Each professional specialty college is run by a specialty council, comprised of a President, Secretary, and three Voting Members elected for three years by the members of the specialty in question, in accordance with specific regulations approved by the Executive Board.

2 — The President must have at least five years professional experience in the specialty in question.

#### **Article 49 Duty**

It is the duty of the Specialty Council to:

- a) Propose to the Executive Board the criteria for awarding the title of Specialist Psychologist;
- b) To award the title of Specialist Psychologist within the particular domain of the professional practice of psychology in question;
- c) To prepare and maintain updated the general framework for Specialist Psychologists;
- d) To foster closer scientific and professional relationships within the national and international framework of each specialty;
- e) To endeavour for the scientific, technical and professional enhancement of its members;
- f) To draw up the minutes of the meetings held.

### CHAPTER III MEMBERS

#### SECTION I REGISTRATION

##### **Article 50 Mandatory Nature**

The title of psychologist, its use and professional practice, in any activity sector, requires registration with the Ordem dos Psicólogos as a Full Member.

##### **Article 51 Registration**

1 — Persons who are entitled to register with the Order are the following:

- a) Psychology graduates who have undertaken higher education (Bachelor's and Master's degrees) in Psychology;
- b) Psychology graduates who have completed a four or five year-long degree course, prior to the 31st December 2007;
- c) National professionals from other European Union Member States who hold the academic and professional qualifications legally required to practice the profession in their respective State of origin;
- d) Nationals from other States that under conditions of reciprocity obtain equivalence under the terms of the law in force.

2 — To become a full member of the Order, a professional internship has to be undertaken.

3 — The registration of professional psychologists is refused if the applicant has failed to provide evidence of higher academic training which includes accredited curricular training and practice in the field of psychology, and does not provide evidence of practising psychology professionally, with the exception of the dismissal foreseen in sub-heading d) of n<sup>o</sup> 1 of Article 72.

4 — Registration with the Order may be in any of the specialties recognised by it.

##### **Article 52 Professional Internships**

1 — To become a full member of the Order, it is mandatory for the member in question to undertake a professional internship which is promoted and organised by the respective Order.

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2 — The professional internship has a duration of:

a) 12 months for graduates who have undertaken a Bachelor's and Master's degree in Psychology including a curricular internship;

b) 12 months for Psychology graduates who have undertaken a four or five-year degree course, including a curricular internship;

c) 18 months for Psychology graduates who have undertaken a four-year degree course, not including curricular internship.

3 — Professional internships are governed by separate regulations to be prepared by the Executive Board and submitted for approval to the Assembly of Representatives during the first semester of the Order's operation.

## **Article 53** **Professional Certificate**

1 — Upon the acceptance of the application for registration, a professional certificate is issued by the President.

2 — The professional certificate template is to be submitted for approval by the Assembly of Representatives.

3 — In order to obtain the professional certificate, a pass is required in the professional internship.

## **Article 54** **Suspension and Cancellation**

1 — Members of the Order are suspended if:

a) They are subject to the disciplinary measure of suspension;

b) They request suspension of their own initiative;

c) Members find themselves in a situation which is incompatible with the professional practice of psychologist.

2 — Registration with the Order is cancelled for members who:

a) Are subject to the disciplinary measure of dismissal;

b) Voluntarily cease to practice professionally and inform the Executive Board of their wishes;

3 — In the case that the sentence applied is the prohibition to practice professionally, registration with the Order ceases immediately.

## **Article 55** **Non-payment of Fees**

The non-payment of fees for a period exceeding one year, under the terms to be set forth in a regulation, results in the person being barred from participating in electoral acts for the bodies of the Order.

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## **SECTION II** **CATEGORIES**

### **Article 56** **Categories of Members**

The Order has Full members, Associate members, Honorary members and Fellow members.

### **Article 57** **Full Members**

Full Members are Psychology professionals who fulfill the requirements set forth herein and have undertaken a professional internship.



### **Article 58** **Associate Members**

The following are accepted as Associate Members:

- a) Portuguese citizens who are Psychology graduates who practice their profession abroad;
- b) Members of foreign counterpart associations who confer equal treatment to members of the Order.

### **Article 59** **Honorary Members**

1 — Honorary members are individuals or companies who practice or have practised an activity which is recognised as being in the public interest and has contributed towards dignifying and increasing the prestige of the profession of psychologist and is deemed to be worthy of such distinction.

2 — The status of Honorary Member is granted upon proposal by the Executive Board and its approval by the Assembly of Representatives.

### **Article 60** **Fellow Members**

1 — Fellow members are legal persons who have contributed towards the Order and are deemed to be worthy of such distinction.

2 — The status of Fellow Member is granted upon proposal by the Executive Board and its approval by the Assembly of Representatives.

## **SECTION III** **MEMBERS' RIGHTS AND DUTIES**

### **Article 61** **Rights of Full Members**

The rights of Full Members are:

- a) To practice the profession of psychologist;
- b) To have the Order's support in defending their professional rights and interests;
- c) To be informed about all the studies, provisions and opinions relating to the practice of the profession;
- d) To request the award of levels of qualification, such as specialist titles;
- e) To suggest and discuss the creation of specialties;
- f) To benefit from editorial activity and use the services offered by the Order;
- g) To elect and be elected for the bodies of the Order;
- h) To participate in activities and perform any duties within the scope of the Order, pursuant to the Statute;
- i) To participate and benefit from the social, cultural, leisure and scientific activity of the Order.

### **Article 62** **Duties of Full Members**

The duties of Full Members are:

- a) To participate in the activity of the Order;
- b) To strictly respect the principles defined in the Code of Conduct;
- c) To provide the collaboration requested by commissions and task forces;
- d) To contribute towards the good standing of the Order and seek to widen its scope of influence;
- e) To perform the duties for which they have been appointed;
- f) To comply with and ensure the compliance of the deliberations of the bodies of the Order;
- g) To pay fees and other regulatory charges;

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- h) To maintain their professional competence;
- i) To act in support of the defense of the collective interests of the members of the Order.

**Article 63  
Rights and Duties of Associate Members**

- 1 — The rights of Associate Members are those listed in Article 61 c) and f).
- 2 — The duties of Associate Members are those set forth in Article 62 b) and d).

**Article 64  
Rights of Honorary Members**

The rights of honorary members are those listed in Article 61 c).

CHAPTER IV  
**FINANCIAL REGIME**

**Article 65  
Income**

The Order's income is the following:

- a) Fees paid by members;
- b) Income from the sale of its publications;
- c) Donations, inheritances, legacies and grants;
- d) Income from assets that it owns;
- e) Income from activities and projects;
- f) Other income from its own assets or provision of services.

**Article 66  
Expenses**

Expenses of the Order are set up expenses, staff expenses, maintenance expenses, operation expenses and all such expenses necessary to achieve its objectives.

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CHAPTER V  
**DISCIPLINARY REGIME**

**Article 67  
Principle of Responsibility**

- 1 — Members of the Order are answerable disciplinarily pursuant to the terms herein and the disciplinary regulations.
- 2 — Disciplinary responsibility is independent from civil and criminal responsibility.

**Article 68  
Exercising Disciplinary Action**

The Judicial Committee, the Executive Board and the Public Prosecutor's office can initiate disciplinary procedures.

**Article 69  
Disciplinary Violations**

- 1 — A disciplinary violation is any action or omission which consists in the fraudulent failure to comply with the duties set forth in the Statute, Code of Conduct or regulations, by any member of the Order.
- 2 — Any individual or company may bring to the Order's attention acts liable to be deemed to be disciplinary violations by registered psychologists.

## **Article 70** **Expiry of Disciplinary Responsibility**

1 — Disciplinary violations expire within a period of five years counting from the time the act took place or the last act was carried out in the case of continued practise.

2 — If the violations are also deemed to be criminal, they expire within the same period as in the criminal procedure, if the latter is longer.

3 — Disciplinary responsibility also expires, if, from the notice to any of the Order's bodies, relevant disciplinary action does not begin within a period of nine months.

4 — The expiry of disciplinary violations is only considered pursuant to paragraph 1 above with regard to disciplinary violations committed after the establishment of the Order.

3 — The sanction listed in sub-heading b) is applied to a member who commits a disciplinary violation in the case of gross negligence or if he re-commits the violation mentioned in the previous paragraph.

4 — The sanction listed in sub-heading c) is applied to a member who commits a disciplinary violation that seriously affects the dignity and standing of the profession.

5 — The sanction listed in sub-heading d) is applicable when on account of the nature of the profession, the disciplinary violation has placed the life and physical integrity of persons at risk, or it is gravely damaging to the honour or property of third parties or equivalent values.

6 — The application of any of the sanctions mentioned in paragraph 1 above to a member who holds a position in the Order's bodies results in the dismissal from such position.

## **Article 71** **Cessation of Disciplinary Responsibility**

Disciplinary responsibility remains in force during the period of suspension from the Order, and does not cease with the request for the cancellation of the registration with the Order, nor with expulsion, for infractions previously committed.

## **Article 72** **Disciplinary Sanctions**

1 — The disciplinary sanctions that may be applied are the following:

- a) Warning;
- b) Registered reprimand;
- c) Suspension up to a maximum of six months;
- d) Expulsion.

2 — The sanction listed in sub-heading a) is applied to a member who does not comply with any instruction or order given to him by any of the bodies.

## **Article 73** **Gradation**

In the application of sanctions, the professional and disciplinary history of the defendant, the level of culpability to the extent of the seriousness of the consequences of the violation and all other aggravating or attenuating circumstances must be taken into account.

## **Article 74** **Appeals**

1 — Of the decisions made jointly by the Executive Board and Judicial Committee, there is no right to appeal within the scope of the Order, notwithstanding the following provisions.

2 — The acts practised by the bodies of the Order allow a hierarchical appeal to be lodged, within the period permitted of eight working days, when another specific period is not set.

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3 — Acts practised by the bodies of the Order may lodge a judicial appeal with the administrative courts under the general terms of the law.

CHAPTER VI  
**PROFESSIONAL ETHICS**

**Article 75  
General Principles**

During the practice of their professional activity, psychologists should abide by the following general principles:

- a) To act with professional independence and impartiality;
- b) To honour and dignify the profession;
- c) To place their skills at the service of public interest;
- d) To be committed to establishing a social cooperation dynamic with the aim of improving individual and collective well-being;
- e) To defend and ensure professional secrecy is maintained;
- f) To demand from members and employees respect for confidentiality;
- g) To use the appropriate scientific instruments required for the practice of his profession;
- h) To be aware of and act in accordance with the legal and regulatory rulings;
- i) To comply with the incompatibility standards set forth in the law.

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**Article 76  
General Duties**

The psychologist, in practicing his professional activity, must:

- a) Refrain from sanctioning documents or making statements that incorrectly result in benefitting himself or another person;
- b) Avoid distorting the interpretation of the explicit or implicit content of technical documents which support the profession, with the aim of deluding the good faith of another person;
- c) Defend the profession's ethical principles and refuse to participate or collaborate in any service or project that is deemed to be damaging to it;
- d) Exercise his professional activity within fields of psychology for which he has not received specific training;
- e) Refuse any interferences in the practice of his activity that place at stake technical-scientific or ethical aspects of professional conduct, whichever his duties and hierarchical position may be or wherever he carries out his activity;
- f) Refrain from using specific professional materials, for which he has not received appropriate training, that he is aware are outdated or inappropriate to be applied in the specific context.

**Article 77  
Code of Ethics**

The Order creates and maintains updated the Code of Ethics for Portuguese psychologists.

### **Article 78 Incompatibilities**

The psychologist may not:

- a) Hold more than one position simultaneously in the statutory bodies of the Order;
- b) Practice any professional activities undertaken simultaneously with his role as psychologist that lead to any ambiguity with regard to the practice of the profession or that make it difficult to define the boundaries of such practice;
- c) Simultaneously hold positions in the Statutory bodies of the Order and leading functions in the civil service and any other position with which there is a clear conflict of interest;
- d) Hold positions of a trade union nature;
- e) All the other activities mentioned in the Code of Ethics.

### **Article 79 Professional Secrecy**

Psychologists are subject to professional secrecy in all that refers to facts disclosed by clients within the framework of any professional matters.

### **Article 80 Duties towards the Order**

Psychologists, in practising their profession, must:

- a) Comply with this Statute and the Order's regulations;
- b) Comply with the Order's deliberations;
- c) Collaborate in the assignments given by the Order and perform the duties for which they have been elected;

d) Pay fees due on time to the Order and that have been set under the terms herein;

e) Give notice, within a period of 30 days, of any change of professional address.

### **Article 81 Reciprocal Duties between Psychologists**

Psychologists, in practising their profession, must:

- a) Respect their colleagues' work;
- b) Maintain any type of collaboration when necessary.

## CHAPTER VII

### FINAL AND TRANSITIONAL PROVISIONS

### **Article 82 Foundation Committee**

1 — Until the first elections are held, the Order is temporarily managed by a Foundation Committee.

2 — The Foundation Committee is comprised of five members, one of whom is the President.

3 — The Foundation Committee is nominated by the member of the Government responsible for the health sector, within 60 days following the application of interested professional associations.

4 — The mandate of the Foundation Committee is for a term which cannot exceed one year from the date of their nomination, and ceases with the investiture of the Order's national bodies, upon the President taking office.

**Article 83**  
**Duties of the Foundation Committee**

1 — The Foundation Committee is responsible for:

a) Preparing the necessary internal regulations for the Order's operation, namely with regard to the electoral acts in question;

b) To promote registration with the Order pursuant to the law and this Statute;

c) To create and maintain updated the national register of psychologists;

d) To manage the activity of the Order on a national level and in accordance with this Statute;

e) To prepare electoral acts and call the first elections for the national and regional bodies of the Order, until 30 days prior to the end of its mandate;

f) To carry out all the acts necessary for the establishment and normal operation of the Order;

g) To swear in the President-elect and provide an account of the mandate undertaken,

2 — In order to carry out its duties, the Foundation Committee is governed by the provisions set forth in this Statute, with the necessary adaptations.

**Article 84**  
**Exemption from Professional Internship**

Graduates who have undertaken a four or five-year degree course including a curricular internship, who provide evidence of the professional practice of psychology for a minimum period of 18 months until the nomination of the Foundation Committee of the Order under the terms to be defined by it, are exempt from undertaking the professional internship.

Lei N<sup>o</sup> 6/2008, de 13 de Fevereiro

## *Law N<sup>o</sup> 6/2008, 13th February*

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### **ASSEMBLY OF THE REPUBLIC**

Law n<sup>o</sup> 6/2008

13th February

#### **THE REGIME FOR PROFESSIONAL PUBLIC ASSOCIATIONS**

The Assembly of the Republic hereby decrees the following, pursuant to Article 161 c) of the Constitution:

#### CHAPTER I

#### **GENERAL PROVISIONS**

##### **Article 1**

##### **Object and Scope**

1 — This law establishes the legal regime for the creation, structure and operation of new professional public associations.

2 — Notwithstanding that set forth in Article 36, this law applies to professional public associations established after the date it entered into force.

##### **Article 2**

##### **Definition and Establishment**

1 — For the intents and purposes of this law, professional public associations are deemed to be public entities of an associative nature which represent professions which, cumulatively, are subject to access and practice controls, the

creation of specific technical and ethical standards and an autonomous disciplinary regime.

2 — The formation of a professional public association is an exceptional occurrence and includes the fulfillment of several specific requirements and can only take place in the cases foreseen in the previous paragraph, when the regulation of the profession involves a public interest of particular significance in which the State should not proceed of its own accord.

3 — The creation of new professional public associations is always preceded by a study developed by a body which is recognised for its independence and standing, in regard to the needs and public interest for such an association and the impact of the regulation on the profession in question.

4 — Each regulated profession can only be represented by a single professional public association.

##### **Article 3**

##### **Nature and Legal Regime**

1 — Professional public associations are legal persons governed by public law, subject to the public law regime in the performance of their public duties.

2 — In all that is not regulated in this law and in the respective law for their creation, as well as in their statutes, the standards and principles which govern public institutions with regard to their duties and in exercising the public power granted to professional public associations are applicable, with the necessary adaptations, and the standards and principles that govern private law associations are applicable with regard to their internal structure.

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**Article 4  
Duties**

1 — Under the terms of the law, the duties of professional public associations are:

- a) To defend the general interest of their users;
- b) To represent and defend the general interests of the profession;
- c) To regulate the access to and practice of the profession;
- d) To exclusively grant professional titles for the professions they represent;
- e) To grant titles of professional specialisations, when they exist;
- f) To prepare and update the professional register;
- g) To exercise disciplinary power over their members;
- h) To be of service to members, with regard to professional practice, namely concerning information and professional training;
- i) To collaborate with other administrative bodies in the pursuit of goals of public interest relating to the profession;

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- j) To participate in the development of legislation relating to the professions in question;
- l) To participate in professional accreditation processes and in the assessment of courses which provide access to the profession;
- m) Any others that are undertaken by law.

2 — Professional public associations are prevented from exercising or participating in activities of a trade union nature or which concern the regulation of the economic or professional relations of members.

3 — Professional public associations cannot place limits on the freedom of the profession that are not foreseen in the law, or breach the competition laws in the provision of professional services, pursuant to national and European Law.

4 — Safeguarding the Code of Ethics, professional public associations cannot deliberate on the legal regime of the profession or on the requirements and restrictions in the practice of the profession.

**Article 5  
Specialty Principle**

1 — Notwithstanding the compliance of the principle of legality within the domain of public management, and unless expressly stated otherwise, the legal capacity of professional public associations includes the practice of all legal acts, the exercise of all rights and the subjection to all the necessary obligations in the pursuit of their object.

2 — Professional public associations cannot perform activities or use their powers outside the scope of their duties or dedicate their resources to purposes different from those to which they are legally bound.

**Article 6  
Creation**

1 — Professional public associations are created by law, upon consultation of the associations that represent the profession.

2 — The draft bill for the creation of each professional public association must include, in its preamble, clear reasons for the need for its creation, pursuant to Article 2, as well as the choices that have been made therein.

3 — The law on the creation of public associations sets forth the main details of its regime, namely:

- a) Denomination;
- b) Profession covered;
- c) Duties.



4 — Professional public associations are created for an indefinite period of time and can only be extinguished, merged or divided under the terms foreseen for their creation.

### **Article 7 Statutes**

1 — When they are not approved by the Creation Law, the Statutes are approved by Decree-Law in compliance with this law and the law for the creation of the association.

2 — The statutes of professional public bodies may regulate the following matters in particular:

- a) Scope;
- b) Acquisition and loss of membership;
- c) Types of members;
- d) Members' rights and duties;
- e) Internal structure and competencies of the bodies;
- f) Incompatibility in respect to undertaking associative positions;
- g) Elections and the respective election process;
- h) Ethical rules in accordance with the Constitution and the Law;
- i) Professional internships;
- j) The disciplinary process and respective penalties;
- l) The economic and financial regime, in particular that relating to setting, collecting and sharing fees;
- m) Professional specialty colleges, if they exist;

3 — The statutes can also grant professional public associations the powers to propose alterations thereto, however, they must always be approved pursuant to n<sup>o</sup> 1 above.

### **Article 8 Administrative Autonomy**

1 — While exercising their public powers, professional public associations undertake the necessary administrative acts for the performance of their duties and approve the regulations set forth in the law and the statutes.

2 — With the exception of the cases set forth in the law, the acts and regulations of professional public associations are not subject to Government approval.

### **Article 9 Financial Autonomy**

1 — Professional public associations possess their own assets and finances, as well as budgetary autonomy.

2 — Financial autonomy includes the power to stipulate the amount of the monthly or annual fee to be paid by members, as well as the rates charged for services rendered, under the terms of the law.

### **Article 10 Designation as an «order»**

1 — Professional public associations are designated as an "order" when they relate to professions whose practice requires prior academic qualification of a university degree or higher and «trade association» in the opposite case.

2 — The designations «order» and «trade association» as well as «professional specialty college» can only be used by professional public associations or their bodies, respectively.

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## **Article 11** **Cooperation with other entities**

1 — Professional public associations are allowed to form private law associations and other forms of cooperation with related entities, in particular within the scope of the European Union and the Community of Portuguese Language Countries.

2 — In order to better perform their duties, professional public associations may form cooperation agreements with other public or private entities, except with those of a trade union or political nature.

2 — The statutes set down the structure and duties of professional specialty colleges.

## **Article 14** **Democratic establishment of the bodies**

1 — Professional public associations have their own bodies, including a representative assembly elected by universal suffrage, which is direct, secret and periodic.

2 — Any full member who has his membership in order and is entitled to fully exercise his rights can vote and be elected for the bodies of the respective association.

3 — The Statutes may stipulate that for a person to be eligible for election as President or as a member of the bodies, they are required to have the necessary academic qualifications and have practised the profession for a minimum of 10 years

4 — The bodies of professional public associations are not subject to Government approval.

## CHAPTER II **INTERNAL STRUCTURE**

## **Article 12** **Geographical Scope**

1 — Professional public associations are national in scope.

2 — Notwithstanding what is laid down in paragraph 1, professional public associations may include regional and local structures, which they direct to undertake their duties in the field in question, pursuant to the Statutes.

3 — In the case of paragraph 2 above, that statute of each professional association specifies the regional and local offices, as well as their structure and duties.

## **Article 13** **Professional Specialty Colleges**

1 — Whenever the law foresees the existence of professional specialisations, the professional public associations in question can organise themselves internally into professional specialty colleges.

## **Article 15** **Bodies**

1 — Professional public associations comply with the principle of the separation of powers, it being required that they possess the following bodies:

a) An Assembly of Representatives, with general deliberative powers, namely in regard to the approval of the budget and activity plan, proposals for alterations to the statutes, approval of regulations, fees and rates, the creation of specialty colleges or to sign agreements with similar associations;

b) An Executive Collegiate Body, which has executive and management powers, namely with regard to administrative and financial matters, as well as concerning the external representation of the association's interests;

c) A Supervisory Body, which oversees the legality of the activity undertaken by the association's

bodies and exercises control, namely in disciplinary matters;

d) A body which audits financial and asset management, which includes a Chartered Accountant.

2 — The statutes of professional public bodies may foresee the existence of a President, as President of the Executive Body or as an autonomous body, with particular duties, namely in representing the association externally.

3 — The statutes may also foresee the existence of other bodies, namely large assemblies, as a congress to deliberate on general matters, as well as technical and consultant bodies.

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4 — The mandates of the members of the bodies of professional public associations may not exceed four years and can only be renewed once.

5 — The name of the bodies is freely chosen pursuant to the statute of each professional public association, with the exception of the title “Bastonário”, which can only be used for the president of “orders”.

6 — The assembly is elected by universal suffrage and the system of proportional representation, within the areas set forth in the statutes, however, it may include the representation of regional structures, if they exist.

7 — When directly elected, the President or Bastonário is elected under the terms set forth in the Constitution for the election of the President of the Republic, with the necessary adaptations.

8 — The supervisory body is independent in exercising its duties, being elected by majority vote by the Assembly of Representatives and may include up to a third of persons who do not practice the profession.

9 — The mandatory bodies for regional and local offices are an assembly of the members registered in the particular area and an executive body elected by it.

10 — Permanent executive positions may be paid positions, under the terms of the statutes or the association’s regulations.

### Article 16 Regulatory Power

1 — The regulations of professional public bodies are legally binding to all their members, and therefore to all candidates wishing to practice the profession.

2 — The regulations are drawn up in compliance with the procedure set forth in the Code of Administrative Procedure, including that which refers to public inquiry and the participation of interested parties, with the necessary adaptations.

3 — The regulations for the external efficacy of professional public associations are published in the 2nd Series, of the Diário da República, notwithstanding their publication in the association’s official magazine or on the association’s website.

### Article 17 Disciplinary Power

1 — Professional public associations exercise disciplinary action over their members, pursuant to the respective statutes.

2 — The statutes of each professional public association list the facts that are deemed to be a disciplinary offence as well as the applicable disciplinary sanctions.

3 — The disciplinary sanctions of suspension and expulsion from the professional public association are only applicable in the case of gross violations which have occurred during the practice of the profession and cannot result from the failure to pay fees or any other member’s duty which is of a transitional nature.

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4 — The disciplinary sanction of expulsion is only applicable when on account of the nature of the profession, the disciplinary violation has placed a person's or persons' life and physical integrity at risk, or is gravely damaging to the honour or property of third parties or equivalent values.

5 — The exercise of the disciplinary duties of professional public associations is the responsibility of or at least as a last resort, the body set forth in Article 15 (1) c).

6 — All that is not regulated in the statute of each professional public association or, when they exist, the respective disciplinary regulations, is governed by the provisions set forth in the Disciplinary Statutes for Employees and Authorities of Central, Regional and Local Administration.

7 — The following can initiate disciplinary proceedings:

- a) The bodies which govern the association;
- b) The ombudsman, when he exists;
- c) The Public Prosecutor's Office.

## **Article 18 Ombudsman**

1 — Professional public associations may appoint an independent person to defend the users of the professional services provided by their members.

2 — The ombudsman is appointed pursuant to the statutes, he cannot be a member of the professional association and cannot be dismissed, unless he has committed a gross offence in the exercise of his duties.

3 — It is the responsibility of the ombudsman to assess complaints lodged by users and recommend how they should be resolved and in general how to improve the association's performance.

4 — The position of ombudsman is a paid position, pursuant to the statutes or the association's regulations.

## **Article 19 Incompatibility in the Performance of Duties**

1 — It is incompatible for executive, disciplinary and auditing duties to be performed together in professional public associations.

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2 — As a member of the professional public association such position is incompatible with the practice of any executive position within public services and any other position where there is a clear conflict of interest.

3 — An exception may be made to the rule set forth in the first part of the previous paragraph and with the necessary grounds it may be amended by the statutes of the respective professional public association.

## **Article 20 Internal Referendum**

1 — The statutes of professional public associations may be subject to referendum, which may be binding or consultative, upon deliberation by the assembly of representatives on questions of particular significance to the association and that are included in their duties.

2 — It is mandatory for an internal referendum to be held for proposals for the dissolution of the association.

3 — The statutes of each professional public association may specify other matters for which it is mandatory for an internal referendum to be held.

4 — Prior to a referendum being held, it is mandatory for its legal or statutory compliance to be confirmed by the supervisory body set forth in Article 15 (1), c).

## CHAPTER III MEMBERS

### Article 21 Registration

1 — The liberal practice of a profession which is organised under a professional public association is subject to prior registration, unless a different regime is established in the creation law, whereby the law can extend the obligation to register to all professionals, or, at least impose a universal obligation for professional registration.

2 — The requirements for the full registration with a professional public association are strictly set forth in the creation law or by the law which regulates the profession, in compliance with the following principles:

- a) The existence of a professional or curricular qualification, which has been officially recognised, which is required by law for the practice of the profession;
- b) It may be necessary for professional skills to be assessed by undertaking an internship or probation period;
- c) Training and confirmation of knowledge of the profession's Code of Ethics.

3 — Under no circumstances will there be a system of numerus clausus in accessing the profession, or in the accreditation of officially recognised courses, by professional public associations.

### Article 22 Right to Register

1 — All individuals who fulfill the legal requirements to practice the profession and wish to do so as an independent professional or not, are entitled to register with professional public associations.

2 — In the event that the penalty prohibiting the practice of the profession is applied, registration with the professional public association ceases immediately.

3 — Nationals from other European Member States who hold the academic and professional qualifications legally required to practice the profession in their respective State of origin may register with professional public associations.

4 — Furthermore, nationals from other States, under conditions of reciprocity may register, providing they obtain equivalence under the terms of the law in force.

### Article 23 Members' Rights

The rights of members are:

- a) To elect the association's bodies and stand for election, with the exception of the incompatibilities established in the law and the statutes;
- b) To participate in the association's activities;
- c) To benefit from the services provided by the association, without any discrimination.
- d) Others set forth in the law and the statutes.

### Article 24 Members' Duties

The duties of members are:

- a) To participate in the life of the association;
- b) To pay the fees;
- c) To contribute towards the good standing of the association;

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**Article 27  
Revenue**

d) To comply with the other legal and statutory duties.

1 — The revenue of professional public associations is comprised of the following:

a) Members' fees;

b) The rates collected for services rendered;

c) Revenue from the respective assets; from inheritances, legacies and donations;

e) Other revenue set forth in the law and the statutes.

2 — The State may only finance professional public associations in exchange for specific tasks undertaken upon signing an agreement and which are not included within its legal obligations.

3 — Deliberations on setting fees and rates are approved by the representative assembly, by majority vote, proposed by the executive body and based on a study which adequately supports the amounts proposed, in compliance with the substantive requirements set forth in the general law relating to rates and other Public Administration contributions.

4 — The collection of credits from the revenue set forth in nº 1 a) and b), is subject to taxation.

**Article 28  
Services**

1 — Professional public associations shall establish the necessary operational and technical services to carry out their duties, notwithstanding the right to outsource tasks.

2 — Professional public associations can establish cooperation agreements with Public Administration inspection services in order to verify the duties carried out by their members. .

CHAPTER IV  
**EMPLOYMENT, FINANCIAL AND AUDITING  
FRAMEWORK**

**Article 25  
Personnel**

The employees of professional public associations are governed by the legal framework for individual labour contracts, notwithstanding a recruitment procedure identical to that set forth in the labour contract foreseen in the Public Administration, set forth in Law nº 23/2004, of the 22nd June.

**Article 26  
Budget and Financial Management**

1 — Professional public associations have their own budget, which is proposed by the executive body and approved by the representative assembly.

2 — The finances of professional public associations are subject to budget stabilisation and the limitation of debts set forth in a separate law.

3 — Professional public associations are subject to the regulations for public contracting and the public works contract.

4 — Professional public associations are subject to the Official Public Accounting Plan.

5 — The State does not guarantee the financial responsibilities of professional public associations, neither is it responsible for their debts.

3 — Cooperation agreements may be established with the inspection services mentioned in the previous paragraph, with the aim of preventing the illegal practice of the profession, namely by persons who do not fulfill the legally required qualifications.

## CHAPTER V TUTELAGE, JUDICIAL CONTROL AND RESPONSIBILITY

### Article 29 Administrative Tutelage

1 — Professional public associations are not subject to government superintendency or tutelage, in the case of the latter, except in the cases specifically set forth in the law.

2 — Professional public associations are subject to the judicial tutelage which is identical to that exercised by the Government over territorial autonomous administration.

3 — The creation law establishes which member of the Government exercises the powers of tutelage over each professional public association.

4 — With the exception of the following paragraph, administrative tutelage over professional public associations is inspective in nature.

5 — The regulations regarding professional internships and the professional examinations to access the profession, fees and related rates and professional specialties, require tutelary approval, which is deemed to be granted if no decision to the contrary is received within the subsequent 90 days.

6 — The provisions set forth in Law nº 27/96, of the 1st August, with the necessary alterations, are applicable to professional public associations.

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### Article 30 Judicial Control

1 — The decisions made by professional public bodies in exercising their public power are subject to administrative proceedings, under the terms of the laws on Administrative Proceedings.

2 — The legality of the acts and regulations of professional public bodies may be contested by:

- a) The interested parties, pursuant to the laws of Administrative Proceedings;
- b) The Public Prosecutor;
- c) The Supervisory Minister;
- d) The Ombudsman.

### Article 31 Inspection by the Court of Auditors

Professional public associations are subject to the jurisdiction of the Court of Auditors, pursuant to the terms established in its organic law.

### Article 32 Annual Report and Duty to Inform

1 — Professional public associations prepare an annual report on the performance of their duties which is submitted to the Assembly of the Republic and the Government.

2 — Professional public associations must provide the Assembly of the Republic and the Government with all the information requested with regard to the performance of their duties.

3 — “Bastonários” and Presidents of the executive bodies must comply with the request by the competent parliamentary commissions to provide the information and clarifications they require.

**Article 33  
Criminal Procedure**

Professional public associations cannot become private prosecutors in criminal cases relating to the practice of the profession which they represent or the performance of the positions in their bodies, unless they relate to facts that involve disciplinary responsibility.

**CHAPTER VI  
ESTABLISHMENT**

**Article 34  
Foundation Committees**

1 — Until the bodies of the new professional public associations created under the terms of this law take office, the respective statutes must foresee, for a maximum period of one year, the existence of foundation committees, which are responsible for undertaking the acts necessary for the election of the Assembly of Representatives and the permanent establishment of such bodies.

2 — The members of the foundation committees, one of whom is the President, are nominated by the member of the Government who exercises supervisory powers over the professional public association, having consulted the professional associations interested.

**CHAPTER VII  
FINAL PROVISIONS**

**Article 35  
Optional Implementation**

1 — Upon decision by its competent body, existing professional associations may request their submission to the regime set forth herein to the Government.

2 — The request must be submitted with a draft of the new statutes.

3 — The publication of the new statutes deems the expiry of the former statutes.

**Article 36  
Transitional Standard**

With the exception of that set forth in Article 2 (3), this law applies to professional public bodies whose legislative process for their creation is in progress on the date it enters into force.

**Article 37  
Entry into force**

This law enters into force 30 days following its publication. Approved on 6th December 2007.

The President of the Assembly of the Republic, Jaime Gama.

Promulgated on the 22nd January 2008.

Let it be published.

The President of the Republic, ANÍBAL CAVACO SILVA.

Approved on 24th January 2008.

The Prime Minister, José Sócrates Carvalho Pinto de Sousa.



Regulamento de inscrição N.º 505/2009

# ***Registration Regulation and By-Law Amendments N.º 505/2009***

Diário da República, 2nd Series - N.º 245 - 21st December 2009

**51438**

ORDEM DOS PSICÓLOGOS  
PORTUGUESES  
**THE ORDER OF PORTUGUESE  
PSYCHOLOGISTS**

Regulation n.º 505/2009

## **PREAMBLE**

The Statute of the Ordem dos Psicólogos Portugueses, approved by Law n.º 57/2008, of the 4th September, in Article 50 and subsequent articles, regulates the registration of psychology professionals with the Order of Psychologists, not expressly foreseeing, however, the approval of a registration regulation which incorporates the standards for the registration procedure, which govern, on the one hand, the Order's internal bodies, and on the other, those who wish to register.

However, foreseeing the multiplicity of situations that the Order would face upon opening the registration process and, on the other hand, the uncertainty that such a regulatory gap would cause for individuals interested in registering, it is essential for standards and procedures concerning this matter to be coded and made uniform.

In effect, as the professional Order is still being established, it is foreseeable that a significant number of registration requests shall be received within a short period of time, with there still being complex questions related to registration, namely for requests from foreign psychologists and a multiplicity of other situations that are important to anticipate and resolve.

As mentioned, the legal provisions on registration are indicated in the Statute of the Ordem dos Psicólogos, and such legal limitations do not allow or recommend that at this time they proceed any further. With this regulatory instrument, the aim is to codify the standards and make uniform the procedures and requirements for individuals interested in registering.

Therefore, under the terms of Articles 32 sub-headings a) and e), and 83, n.º 1, sub-headings a) and b), and n.º 2, of the Statute of the Ordem dos Psicólogos Portugueses, and taking into account the publication of the provisional version of the Regulations in the 2nd Series of the Diário da República of the 27th October 2009 for public assessment, under the terms of Article 118 of the Code of Administrative Procedure and Article 16 of Law n.º 6/2008, of the 13th February, the Registration Regulation for the Ordem dos Psicólogos Portugueses, is hereby approved:

## **Article 1 Mandatory nature**

1 — The title of psychologist, its use and professional practise, in any activity sector, requires registration with the Ordem dos Psicólogos as a full member.

2 — A person cannot use the professional title of psychologist or trainee psychologist if they are not registered as such with the Order.

3 — Registration as a member of the Order is granted under the terms of Articles 50 and 51 of the Statute of the Ordem dos Psicólogos Portugueses, approved by Law n.º 57/2008, of the 4th September and this regulation.

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## Article 2 Registration

1 — Persons who are entitled to register with the Order are the following:

a) Psychology graduates who have undertaken higher education (Bachelor's and Master's degrees) in Psychology;

b) Psychology graduates who have completed a four or five year-long degree course, prior to the 31st December 2007;

c) National professionals from other European Union Member States who hold the academic and professional qualifications legally required to practise the profession in their respective State of origin;

d) Nationals from other States that under conditions of reciprocity obtain equivalence under the terms of the law in force.

2 — To become a full member of the Order, a professional internship has to be undertaken with a positive result, the terms of which are approved in a separate regulation.

3 — Graduates who have undertaken a four or five year degree course which included curricular training, who have evidence of practising professionally as a psychologist for a minimum period of 18 months until the date the Foundation Committee is appointed.

4 — For all effects and purposes of sub-heading b) of nº 1 of the present Article, applications for registration from graduates whose pre-Bologna degree in Psychology was concluded after the 31st December 2007, if the Executive Board confirms that the study programme is of the equivalent standard to Bachelor's and Master's higher education degrees in Psychology.

5 — Recognition of the qualification foreseen in the previous point must be requested by the applicant.

6 — Nationals from other European Union Member States may register with the Order, providing they hold academic and professional qualifications applicable for the professional practise of psychology in their respective State of origin.

## Article 3 Specialities

Registration with the Order may be requested in any of the specialities it recognises, under the terms set forth in the Specialities Regulation.

## Article 4 Registration Procedure

1 — Applicants may register with the Order at any time.

2 — The application for registration should be submitted to the regional branches of the North, Centre, South, Madeira and the Azores, wherever the applicant practises psychology or shall be undertaking professional training, during working hours, together with the documents mentioned in Article 5 and Annexes I to V of these Regulations.

3 — Registration is only deemed to be effective after it has been approved by the Executive Board;

4 — The registration date is the date on which the Executive Board approves the request and seniority counts from that date.

5 — Within 30 days from the approval mentioned in point 4 above, the Order shall issue a professional certificate that entitles the applicants to practise psychology.

### **Article 5** **Details and documents for registration**

1 — The registration form must be filled in with the details mentioned in Annex I of these Regulations.

2 — The registration form must be submitted with the documents mentioned in Annex II and, depending on the case, Annexes III, IV and V of these Regulations.

3 — The documents required in these Regulations, identified in Annexes I to V, must be compatible with the compliance of the rules set forth in Law n° 9/2009, of the 4th March, on the recognition of professional qualifications.

### **Article 6** **Registration**

1 — The registration process is managed by the Admissions Committee, which issues an opinion on the application for registration prior to the final decision by the Executive Board.

2 — After the application for registration has been approved, the certificate, duly dated and signed by the President, is sent to the Admissions Committee which then sends it to the applicant.

3 — Save the necessary adaptations, the registration process for trainee psychologists is the same as that established for professional psychologists.

### **Article 7** **Refusal of Registration**

1 — In the case of trainee psychologists, registration with the Order may only be refused based on the lack of higher academic training which includes accredited curricular training and practice in the field of psychology pursuant to

Article 51, n° 3, of the Statute of the Ordem dos Psicólogos Portugueses.

2 — The transition from trainee psychologist to professional psychologist to practise the profession can only be refused by the non-approval of the professional internship to be undertaken pursuant to Article 52 of the Statute of the Ordem dos Psicólogos and the regulations for professional training.

3 — The registration of professional psychologists is refused if the applicant has failed to provide evidence of higher academic training which includes accredited curricular training and practice in the field of psychology, and does not provide evidence of practising psychology professionally for a period of 18 months until the nomination date of the Foundation Committee of the Ordem dos Psicólogos.

### **Article 8** **Professional Certificate**

1 — The professional certificate signed by the President is deemed to be evidence of registration.

2 — The status of professional trainee is confirmed by a specific certificate, which expressly mentions such status, the issuing procedure being identical to that for a full member, with the necessary adaptations.

3 — If the certificate is lost, stolen or rendered useless, the procedure is as follows:

a) The applicant should request a second copy of the certificate and enclose an issuing bulletin of the certificate and a photograph with the request.

b) The regional office, after confirming that the request is valid, shall prepare a new certificate and send it with the bulletin, to the Executive Board, to be signed and dated by the President of

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the Order, after which it shall be returned to the regional office, which shall give it to the applicant.

## **Article 9** **Amendments to Registration Details**

1 — Amendments to a member's registration are the following:

- a) Its cancellation, indicating the reason;
- b) Its suspension, indicating the reason as above;
- c) Any disciplinary sentence, whereby the decision is final;
- d) The lifting of a suspension, indicating the reason;
- e) The professional positions the applicant practises or has practised in the Order;
- f) The award of the title of specialist in any of the specialties foreseen in the respective regulations;
- g) The transfer of professional address and any other facts that may affect registration.

2 — It is mandatory for the psychologist to return the respective certificate after his request to cancel or suspend his registration has been accepted.

3 — Changes of professional address and other facts that may alter the details supplied upon registration must be informed to the Executive Board by the applicant within 30 days.

4 — Registration certificates shall not contain amendments of disciplinary sentences, unless they are requested in full by the interested party, or expressly ordered as such by the Executive Board.

## **Article 10** **Registration fee and fees**

1 — It is compulsory for a registration fee to be paid to register with the Order, the value of which is determined by the Assembly of Representatives pursuant to Article 27, sub-heading b), of the Statute of the Ordem dos Psicólogos Portugueses.

2 — It has been deliberated by the Assembly of Representatives under the terms of nº 1, that all registered members must pay a monthly fee.

## **Article 11** **Suspension of Registration**

Members shall be suspended from the Order in the following cases:

- a) If they are subject to suspension as a disciplinary measure;
- b) They have requested it themselves when they wish to temporarily interrupt practising psychology, providing they do not have any outstanding fees in debt, or if they settle them;
- c) They are in a situation which is incompatible with the professional practise of psychology.

## **Article 12** **Cancellation of Registration**

Registration with the Order is cancelled for members who:

- a) Are subject to expulsion as a disciplinary measure;
- b) Voluntarily cease to practise the professional activity and have informed the Executive Board.

### **Article 13** **Provision of Information**

During the registration process and whenever it deems it necessary, the Order may request its members or applicants for registration to fill in forms, where they supply information that allows the Order to undertake studies that provide knowledge about the professional practise of psychology in Portugal.

### **Article 14** **Omissions**

Any omissions to these regulations shall be resolved by the Executive Board.

### **Article 15** **Admissions Committee**

1 — The Admissions Committee is comprised of 3 to 7 members, who are nominated by the President.

2 — The mandate of the members of Admissions Committee has the duration of 1 year, without prejudice to the President, who for a justified reason, may cease the mandate prior to the end of the respective term.

### **Article 16** **Transitional Provisions**

1 — All the competencies foreseen in these Regulations shall, with the necessary adaptations, be practised by the Foundation Committee until the investiture of the national bodies of the Order, symbolised by the President's taking of office.

2 — The acceptance or refusal of the application for registration requires the majority vote of two thirds of the members of the Foundation Committee and can only be refused under the terms of Article 51 of the Statute of the Ordem dos Psicólogos.

### **Article 17** **Entry into force**

These regulations enter into force on the day immediately following their publication.

Lisbon, 11th December 2009. — Chairman of the Foundation Committee of the Ordem dos Psicólogos Portugueses, Telmo Mourinho Baptista.

### **ANNEX I** **Details to be provided when filling in the application registration form:**

- a) Full name;
- b) Professional title requested;
- c) Date of birth;
- d) Address;
- e) E-mail address;
- f) Telephone and fax contact details;
- g) Preferred means of contact;
- h) Sex;
- i) Marital status;
- j) Nationality;
- k) Place of birth;
- l) Parents names;
- m) Number, issuing authority and date of Identity Card or other valid identification document;
- n) Individual Tax Number;
- o) Place where professional activity is practised;
- p) Start date of professional activity;
- q) Entity where professional activity is practised;

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- r) Relevant professional experience;
- s) Professional address, with the express indication of the main address if there is more than one;
- t) University, year of the start and end of higher education, type of education (in accordance with Article 2 of these Regulations).

#### ANNEX II

##### **Documents to be submitted with the registration application form:**

- a) Copy of Identity Card or other valid identification document;
- b) Copy of Tax Number Card;
- c) One original passport-size photograph;
- d) Certificate of qualifications in Psychology, indicating the date the academic qualification was awarded, higher education establishment and country;
- e) Certificates of other academic or professional qualifications awarded, with the dates they were awarded and the competent authorities responsible;
- f) Certificates or other documents that attest the details mentioned in sub-headings o), p), q) r) and s) of Annex I;
- g) Documentary evidence of a pass in a Portuguese Language Course in the case of citizens from countries whose official language is not Portuguese;
- h) Document signed by the applicant, authorising the Ordem dos Psicólogos Portugueses to use the data provided.

#### ANNEX III

##### **Documents to be submitted with the registration application form in the case of academic qualifications obtained abroad. In addition to the documents indicated in Annex II, applicants who have obtained an academic qualification abroad must submit the following documents:**

- a) Documentary evidence of obtaining accreditation or equivalence of the foreign academic qualification, under the terms of the applicable legislation for the recognition and equivalence of foreign academic qualifications;
- b) Curriculum Vitae prepared and written in order to confirm the legal and effective professional practise as a psychologist.

#### ANNEX IV

##### **Documents to be submitted for the registration of psychologists from European Union member States:**

- a) If the professional practise of psychology is regulated in the Member State of origin, the applicant who wishes to register with the Order must submit, in addition to the elements mentioned in Annex II and sub-heading b) of Annex III, an attestation of competence or document providing evidence of formal qualifications required by the member State in question to practise as a psychologist, providing:
  - I) It has been issued by the competent authority in the Member State in question;
  - II) It attests a level of professional qualification at least equivalent to level immediately prior to that which is required in Portugal.
- b) In the event that the practise of the profession of psychologist is not regulated in the Member State of origin, the applicant for registration with the Order must submit, in addition to the elements mentioned in Annex II and Annex III, one

or more attestations of competence or documents providing evidence of formal qualifications, which must:

- I) Be issued by the competent authority of the Member State;
- II) Attest a level of professional qualification at least equivalent to the level immediately prior to that which is required in Portugal;
- III) Confirm the full time pursuit of the profession of psychologist for a minimum of two years during the previous ten years.

point above and submit a certificate attesting such fact.

- c) In order to determine if the autonomous practise of the profession is viable, applicants must also submit evidence of professional experience acquired over [three consecutive years during the previous five], which shall be submitted for assessment by the Admissions Committee and subsequent decision by the Executive Board.

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#### ANNEX V

#### **Documents to be submitted for the registration of psychologists from other States:**

a) Psychologists who are from Non-Member States of the European Union and who are not covered by Directive n.º 2005/36/EC, of the European Parliament and the Council, of the 7th September, who wish to pursue the profession in Portugal, must submit, in addition to the elements listed in Annex II and sub-heading b) of Annex III, the following documents:

I) Proof of professional honourability, issued by the competent authority which registers and governs psychologists in the country of origin, which attests that the applicant is lawfully entitled to practise the profession without restrictions and that there are no disciplinary proceedings pending or that any disciplinary sanctions have been enforced;

II) Certificate of reciprocity.

b) Unless otherwise decided by the Executive Board, applicants who have never been registered with a professional association that regulates the professional practise of psychology, must replace the document mentioned in sub-heading a) of the

Regulamento de Estágios da Ordem dos Psicólogos Portugueses  
Despacho N<sup>o</sup> 15866/2010

## ***Internship Regulation for the Ordem dos Psicólogos Portugueses Order N<sup>o</sup> 15866/2010***

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### **ORDER N<sup>o</sup> 15866/2010**

It is hereby made public that by decree by the Minister of Health, dated 22nd September 2010, under the provisions set forth in Article 29 (5) of Law n<sup>o</sup> 6/2008, of the 13th February, together with Law n<sup>o</sup> 57/2008, of the 4th September, the Internship Regulation for the Ordem de Psicólogos Portugueses has been approved, which is published hereunder.

13th October 2010.- The President of the Executive Board, Manuel Ferreira Teixeira.

#### ANNEX

#### **INTERNSHIP REGULATION FOR THE ORDEM DOS PSICÓLOGOS PORTUGUESES**

The Ordem dos Psicólogos Portugueses was created by Law n<sup>o</sup> 57/2008, of the 4th September which also approved the respective Statute of the Ordem dos Psicólogos Portugueses.

Under the terms of Article 51 (2) of the Statute, becoming a full member of the Order requires a professional internship to be undertaken, which, pursuant to Article 52 (3) of the Statute, is governed by a separate regulation.

By means of this regulation, the rules and standard principles for internships are established, with adequate assimilation of the rules whereof.

Therefore, the legal stipulation in question aims to ensure that the regulation for such an important matter, which is the access of Psychology graduates to become full members of the Order, shall be governed by a Regulation, which benefits from an added legitimacy, whereby it is set forth in Law that such document is approved in an Assembly of Representatives.

However, the problems in relation to such a sensitive issue as professional internships, go further than the Statute may lead one to believe.

In fact, it is clearly stated in Article 51 (2) of the Statute, that to become a full member of the Order, a professional internship has to be undertaken.

This provision, by granting such an extent of importance to the initial supervised professional experience for professional recognition, is an essential step in affirming Psychology as a profession.

It is thus essential for this regulation to be the legal framework to enhance the quality of professional internships.



## CHAPTER I GENERAL PRINCIPLES

### Article 1 Object

The Internship Regulation for the Ordem dos Psicólogos Portugueses is hereby approved and referred to hereinafter as Regulation.

### Article 2 Mandatory Professional Internship

1 – The professional internship is a necessary pre-requisite in the Psychologist's professional training.

2 – To be granted the title of full member of the Ordem dos Psicólogos Portugueses, hereinafter referred to as Order, a professional internship has to be undertaken, as set forth in the Statute of the Ordem dos Psicólogos Portugueses, hereinafter referred to as Statute, and in this Regulation.

### Article 3 Objectives of the Professional Internship

By undertaking an internship, the goal is for the trainee psychologist to apply the theoretical knowledge acquired during their academic training, in a real work context, to develop the skills to resolve real problems and to acquire essential skills and work methods to practice professionally as a Psychologist in a competent and responsible manner, namely from a technical, scientific, ethical and interpersonal relationship perspective.

### Article 4 Description of the Professional Internship

1 – The professional internship is proposed by the candidate and is undertaken within the entities with which the Order has signed a protocol agreement for professional internships.

2 – It is mandatory for a professional internship supervisor to be appointed who manages and supervises the respective professional internship.

3 – In addition to the activity to be developed with the internship host, it is mandatory for the trainee psychologist to attend and obtain a positive assessment in the professional internship training courses which are organised and made available by the Order.

## CHAPTER II ORGANIC STRUCTURE OF THE INTERNSHIP

### Article 5 Creation and Composition of the Internship Commission

1 – Reporting to the Executive Board, the Internship Commission is created, hereinafter referred to as CE (Comissão de Estágio)

2 – The CE is comprised of five members, among which there is the President and a Secretary, the remainder being Voting Members.

3 – The members of the CE are nominated by the Executive Board, which appoints each position.

### Article 6 Eligibility

Only Psychologists who are registered with the Order as Full Members who are entitled to fully exercise their rights under this title, and who have a minimum of five years' professional experience may be appointed as members of the CE.

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**Article 7  
Mandate**

1 – Members of the CE are appointed for a three-year term, however, such term may terminate simultaneously with the end of the mandate of the Executive Board that appointed them.

2 – The nomination of members for a third consecutive term is not permitted.

3 – The CE, on duly justified grounds, may be dismissed at any time by the Executive Board.

**Article 8  
Duties of the Internship Commission**

1 – The duties of the Internship Commission are the following:

a) To sign protocol agreements with external entities with a view to establishing places in which professional internships can be undertaken;

b) To sign contracts for the supervision of professional internships;

c) To approve the professional internship project prepared by the trainee psychologist and approved by the internship supervisor, thus confirming that the proposal fully complies with the rules and principles set forth herein;

d) To authorise the suspension and extension of the professional internship period;

e) To organise and make available professional internship training courses;

f) To inspect the performance of professional internships;

g) To approve professional internship reports, after the assessment of the internship supervisor

and to grade the performance of the trainee psychologist during the internship period;

h) To propose the acceptance of professional internships or professional experiences prior to the entry into force of this Regulation;

i) To create additional Regulations necessary for the performance of professional internships.

2 – The CE further undertakes the other powers granted under the terms of the law, this Regulation or other regulations.

**Article 9  
Operation**

1 – The CE shall convene whenever necessary, when called to do so by the President.

2 – Within the scope of the powers conferred by law, this Regulation or other document, the CE approves resolutions.

3 – The resolutions approved are of a recommendative nature and must be approved by the Executive Board to be binding.

**Article 10  
Organisation of Professional Internships**

1 – The organisation of professional internships is of the responsibility of the Executive Board of the Order.

2 – The maintenance of a national register of professional internship locations and professional internship supervisors is of the responsibility of the Executive Board, which should provide updates every six months.

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## CHAPTER III INTERNSHIP

### Article 11 Terms of Admission

1 – The performance of a professional internship is reserved for candidates who fulfill the requirements set forth in Article 51 (1) of the Statute.

2 – In order to be accepted to perform the professional internship, the candidate must register previously with the Order as a Trainee Member, submitting the respective form to the head office or any regional office of the Order, which must be in accordance with the template to be made available by the most appropriate means, namely on its website.

3 – The candidate is deemed to be registered with the Order on the date the professional internship project is approved by the Executive Board, which should occur within a maximum period of 60 days from the date it was submitted.

4 – The period set forth in the final part of the previous paragraph is suspended in the event that the CE requests additional details and once again begins counting when such details have been submitted.

5 – Registration with the order may be subject to the mandatory payment of a fee, to be stipulated by the Executive Board.

### Article 12 Professional Internship Project

1 – The candidate, in the registration form mentioned in paragraph 2 of the previous Article, should propose the subject of his professional internship project, as indicated in the form to be made available by the Order.

2 – The project to which the previous paragraph refers includes the parameters of the professional internship; namely the specific area in which the

trainee psychologist shall undertake the activity of his professional internship, the duration of the internship, the location where the internship shall take place, the identification of the internship supervisor and a declaration of the principles with which the candidate agrees to comply, as a trainee psychologist.

3 – The project to which paragraph 1 refers must also be accompanied by a declaration, issued by the internship host, under the terms of which it agrees to receive the trainee psychologist.

4 – In the cases where a protocol agreement has not yet been signed with the internship host, the project must still include a proposal for the signature of the professional internship protocol agreement between the host and the Order.

5 – The proposal to which paragraph 1 refers must contain a declaration from the internship supervisor under the terms of which he/she agrees to guide and supervise the tasks of the trainee psychologist and must also include the professional internship supervision contract, signed by the supervisor of the proposed internship, and if it has not yet been signed at that date, a contract of the same nature with the Order.

### Article 13 Duration of the Professional Internship

1 – The professional internship has a minimum duration of:

a) Twelve months for graduates who have undertaken a Bachelor's and Master's degree in Psychology including a curricular internship;

b) Twelve months for Psychology graduates who have undertaken a four or five-year degree course, including a curricular internship;

c) Eighteen months for Psychology graduates who have undertaken a four-year degree course, not including curricular internship;

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d) Eighteen months for Psychology graduates who have undertaken a Bachelor's and Master's degree in Psychology, excluding a curricular internship;

2 – The calculation of the internship period set forth in the previous paragraph starts on the date the internship project is approved by the Executive Board.

3 – The trainee psychologist, over the course of their internship, must perform a minimum of 1600 hours or 2400 hours undertaking specific tasks in the field of Psychology, depending if the internship has a maximum duration of twelve or eighteen months, respectively, and registration is in accordance with that set forth herein.

4 – The trainee psychologist must attend at least two thirds of the internship in person and the remaining hours are not required to be attended in person.

5 – For the purposes of this Regulation, specific activity in the field of Psychology with the internship host is deemed to be the work developed with the internship supervisor, the attendance of the internship course, the attendance of seminars and conferences organised by the Order or third parties and the study of materials related to the tasks developed within the scope of the professional internship.

6 – The professional internship period has a maximum duration of eighteen months in the cases mentioned in sub-headings a) and b) of paragraph 1, and twenty four months in the cases mentioned in sub-heading c) also of paragraph 1, notwithstanding the possibility of the suspension or extension of the internship period.

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7 – Delays resulting from processes which are dependent on the Order or of the responsibility of the internship supervisor cannot be included for the calculation purposes of the previous paragraph.

#### **Article 14 Suspension of the Internship Period**

1 – The trainee psychologist may, due to duly justified reasons, request the CE to suspend their internship period, promptly providing an indication of the forecast duration of the requested suspension.

2 – In any case, the suspension period cannot exceed a maximum duration of six consecutive or intercalated months.

3 – In the case of pregnancy, maternity or paternity leave, the six month period mentioned in the previous paragraph may be extended at the request of the trainee psychologist who must duly justify the need for such extension.

#### **Article 15 Extension of the Internship Period**

1 – The internship period may be extended, upon duly justified request, sent by the trainee psychologist to the CE and accompanied by a favourable opinion issued by the internship supervisor.

2 – The extension can only be granted once and for a period not exceeding six months.

## Article 16 Hour Log

1 – The log of the hours performed by the trainee psychologist aims to ensure that the minimum number of hours in the practice of the specific tasks within the field of Psychology is complied with and the compliance of the principles of good faith and cooperation between the participating entities within the scope of the performance of professional internships.

2 – The trainee psychologist must register the hours which correspond to the practice of the activity in the field of Psychology, pursuant to Article 13 (3) and (4).

3 – Notwithstanding the provision in paragraph 2, the hours which correspond to the activity developed by the trainee psychologist at the Order itself, namely the attendance of the internship course and of seminars and conferences organised by it, must be registered by the competent department.

4 – The hour log which corresponds to the activity relating to Psychology, except for the hours included in the previous paragraph, are to be informed to the internship supervisor by the trainee psychologist, to be assessed and ratified.

5 – Notwithstanding the auditing powers conferred to the CE, within the scope of the professional internship, in the case that the trainee psychologist has chosen an external internship supervisor, in order to verify if the hour log complies with that set forth in the previous paragraph, the latter may request from the internship host the information and clarifications it deems necessary.

## Article 17 Professional Internship Hosts

1 – All professional internships require a place for them to be undertaken, notwithstanding the professional internship training to be provided by the Order.

2 – The Order must promote the creation of internship host programmes, by signing professional internship protocol agreements with entities that fulfill the requirements established herein.

3 – Any individual or corporate entity, which may be public or private, whose activity includes the domain of Psychology and which has suitable conditions for the professional practice of the trainee psychologist, can sign a professional internship protocol agreement with the Order.

4 – In the agreement mentioned in the previous paragraph, the host of the trainee psychologist agrees to comply with the duties set forth herein.

5 – The professional internship host agrees to cooperate, namely with the internship supervisors, under the terms of the agreement signed, this Regulation and the principles of good faith, namely in regard to the duties set forth in Article 17 (4).

6 – The professional internship host must offer remuneration to the Trainee Psychologist, who, in exceptional circumstances, may accept that the professional internship is not remunerated.

7 – The format of the professional internship protocol agreement shall comply with the template to be made available by the Order on its website.

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## Article 18 Internship Supervisor

1 – The internship supervisor performs an essential and indispensable role throughout the course of the internship, being responsible for managing and supervising the activity undertaken by the Trainee Psychologist.

2 – The Order must promote the signature of professional internship supervision contracts with Psychologists who fulfill the terms set forth in this Article.

3 – Any individual who can attest that they have at least five years' professional experience and that they are a full member of the Order, in the full exercise of the rights granted under this title, can sign a professional internship supervision contract with the Order.

4 – In the contract mentioned in the previous paragraph, the internship supervisor agrees to comply with the duties set forth herein.

5 – The professional internship supervisor is especially bound to the performance of the following duties:

- a) To endeavour to fulfill the professional internship project;
- b) To ensure professional, ethical and deontological discipline, both in regard to the training provided to the trainee psychologist and the duty to which they are imposed;
- c) To provide regular training to the trainee psychologist;
- d) To verify and sign the trainee psychologist's hour log, pursuant to Article 16, and send quarterly reports to the CE.
- e) To give an opinion regarding the request for the extension of the internship period presented by the trainee psychologist;

f) To send six-monthly reports on the progress of the trainee psychologist to the CE.

g) To assess, based on the development and progress of the trainee psychologist during the internship, their internship report with a view to its validation, providing a reasoned opinion concluding the aptitude or inaptitude of the trainee psychologist for the practice of their professional duties.

h) To collaborate with the CE in the final assessment of the trainee psychologist.

6 – The internship supervisor is especially entitled to:

- a) Receive the necessary training in order to hold the position of professional internship supervisor;
- b) Have the performance of the duty recognised by the Order, in terms of professional experience;
- c) Be certified by the Order as a professional internship supervisor for remuneration purposes by the entities/institutions which benefit from their duties as internship supervisor.

7 – Supervision shall have a minimum duration of one hour per week for each trainee psychologist, notwithstanding the duty imposed on the supervisor by sub-heading c) of paragraph 5.

8 – The internship supervisor may or may not belong to the internship host's structure.

9 – Notwithstanding the previous paragraph, the trainee psychologist must take preference over choosing an internship supervisor who belongs to the internship host.

10 – A professional internship supervisor must comply with the template to be made available by the Order, through the most appropriate means, namely their website.

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### Article 19 Rights and Duties of the Trainee Psychologist

1 – The duties of the Trainee Psychologist are as follows:

- a) To strictly comply with the principles set forth in the Statute, the Deontological Code and other Regulations approved by the Order's bodies;
- b) To strictly comply with the rules and conditions applicable in the internship host's organisation.
- c) To be supervised by a professional Psychologist, who is registered with the Order, exercising full rights under such title and who has at least five years' professional experience;
- d) To be respectful and loyal towards the internship supervisor and the internship host;
- e) To participate in defining the tasks to be assigned and the supervision of the internship and to comply with that set forth in the professional internship project;
- f) To prepare an hour log which is true and accurate in accordance with the requirements of good faith;
- g) To collaborate in a diligent manner, with commitment and competence in all activities, tasks and training actions undertaken within the framework of the professional internship;
- h) To contribute towards the good standing of the Order and to refrain from practices that adversely affect it;
- i) To prepare and submit an internship report which faithfully describes the activities undertaken during the professional internship, in accordance with the rules and principles laid down in the template to be made available by the Order, through the most appropriate means, namely their website;
- j) To pay any mandatory fees or charges on time.

2 – The trainee psychologist is also subject to other duties imposed by law, this Regulation and other regulations.

3 – The rights of the Trainee Psychologist are as follows:

- a) To benefit from the Order's support in defending their professional rights and interests;
- b) To receive a minimum of one hour's guidance per week;
- c) To participate in training courses for trainee psychologists, organised by the Order;
- d) To register with the Order as a full member after the conclusion of the professional internship.

### Article 20 Inspection of the Professional Internship

The CE is entitled to make the inspections it deems necessary with a view to verifying if the internship project and duties of the trainee psychologist and internship supervisor are being complied with.

### Article 21 Training Courses

1 – The Order, directly or through its regional offices, organises and makes available professional internship training courses the main aim being the preparation of the trainee psychologist in terms of professional and ethical standards.

2 – The trainee psychologist must attend the professional internship training course and obtain a pass.

3 – For the purposes of the obligation to attend stated in paragraph 2, the trainee psychologist must attend at least 90% of the professional internship training course.

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4 – Professional internship training courses have a framework of trainers and administrative staff, facilities, equipment and other means necessary for the performance of their duties.

5 – Trainers practice their activity on a provision of services contract, to be signed with the Executive Board or the regional offices, based on uniform criteria established by the Executive Board.

6 – Trainers must possess recognised educational and scientific training, be registered as full members of the Order, fully exercising their rights under such title and have at least five years' professional experience.

7 – In exceptional circumstances, persons who practice professionally in a different field other than Psychology, may be invited to become trainers, providing they have the necessary educational and scientific qualifications.

8 – For the performance of professional internship training courses, the Executive Board may stipulate the payment of a fee.

### **Article 22** **Conclusion of the Professional Internship**

1 – The trainee psychologist, at the end of the professional internship, as set forth in the internship project and having attended the minimum number of hours and concluded the training course to which the previous article refers, must submit, within sixty days, a final professional internship report in which all the tasks undertaken during the internship must be described.

2 – The performance of the minimum number of hours set forth in Article 13 (3) is shown by adding the hours listed on the Attendance Forms to the number of hours registered by the competent services of the Order, pursuant to Article 16.

3 – The final internship report must be accompanied by an opinion issued by the professional internship supervisor, in accordance with that set forth in Article 18 (5) g).

4 – The CE shall deliberate on the approval of the professional internship report within thirty days.

5 – On the same date, the CE shall inform the final grade given for the performance of the trainee psychologist during their professional internship.

6 – The grading foreseen in the previous paragraph shall be assigned as follows:

a) Firstly, the CE assesses, separately, the performance of the trainee psychologist in relation to various criteria, to be defined prior to the start of the internship and deemed to be determining factors in the professional practice of psychology;

b) Secondly, in accordance with the assessment of the grades given to each of the criteria mentioned, it evaluates the overall performance of the trainee psychologist, and assigns one of the following grades: "Not Approved", "Sufficient", "Good" and "Very Good".

7 – In assigning the grading mentioned in the previous two paragraphs, all the activity of the trainee psychologist during their respective internship must be taken into account, the activity being monitored by the internship host by means of the Six-Month Information Report, to be sent by the CE to the internship supervisor, under the terms of Article 18 (5) f), and the procedure set forth in paragraph 9 of the present Article.

8 – The CE may request further information from the professional internship supervisor, regarding the trainee psychologist's behaviour, such request suspending the deadline for the decision for the time necessary and defined by the CE for providing the clarification requested.



9 – The conclusion date of the internship corresponds to the date on which, pursuant to Article 8 f) and Article 9 (3), the Executive Board approves the Internship Report and assigns the final grade for the performance of the trainee psychologist.

10 – In the event that the Internship Report is not approved or the overall grading of the trainee is “Not Approved”, the registration of the trainee psychologist as a candidate for full membership expires.

### **Article 23 Registration Expiry**

1 – The trainee psychologist’s registration with the Order expires, notwithstanding that set forth in Articles 14 and 15, when:

- a) The duration of the internship foreseen in the project is reached without the minimum number of hours having been complied with, pursuant to Article 12 (3) and (4);
- b) The duration of the internship foreseen in the project is reached without the internship course mentioned in Article 20 being undertaken;
- c) The maximum duration of the internship period is reached, pursuant to Article 12 (6);
- d) The Internship Report is not approved or the overall grade for the internship is “Not Approved”, pursuant to paragraph 10 of the previous Article.

2 – The expiry of the registration with the Order as a trainee psychologist does not prevent a new registration being made and a new professional internship being undertaken, which shall proceed in accordance with the provisions set forth herein.

### **Article 24 Registration with the Order as a Full Member**

1 – The trainee psychologist, after finishing the professional internship and it being approved, may request to register with the Order at any regional office, as a full member.

2 – Registration as a full member is governed by the provisions set forth in the Registration Regulation, with the exception of that set forth in Article 5 of the same Regulation, together with Annexes I to V of the same document, and that they have already been provided by the candidate upon application to register as a full member and which have not suffered any alterations in the meantime.

### **Article 25 Transitional Provisions**

1 – Applicants who fulfill the provisions in Article 84 of the Statute are exempt from undertaking the professional internship and may immediately apply to register as full members with the Order.

2 – Applicants who do not fulfill the requirements set forth in the previous paragraph may apply to register with the Order as full members after the internship which has already started has been approved prior to the entry into force of this Regulation, under the following terms:

3 – The CE may, at the request of the applicant who fulfills the provisions set forth in the previous paragraph, approve the internship undertaken, pursuant to Article 8 h);

4 – The approval foreseen in the previous paragraph consists in the validation of the internship already undertaken, by the assessment of the internship period and activity undertaken.

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5 – The approval must be upheld by the Order, in compliance with the principles of legality, equality and good faith, in strict collaboration with all the intervening entities in the internship, namely the trainee psychologist, the internship supervisor and the internship host.

6 – The CE shall approve the proposal, providing it concludes that the duration of the internship in question was the minimum internship duration set forth in Article 13 and it deems that the objectives defined in Article 3 were effectively achieved.

7 – The approval mentioned in the previous paragraph entitles registration as a Full Member of the Order, pursuant to Article 24.

8 – The CE may suggest as condition for approval of the internship, its extension, the attendance of the training course foreseen in Article 21 or that activities are developed to provide evidence that the objectives in Article 3 have been achieved.

9 – In the case foreseen in the previous paragraph, registration with the Order as a full member, pursuant to Article 24, may only occur after the condition set for approval has been fulfilled.

10 – Appeals on decisions by CE are to be submitted to the Judicial Committee.

**Article 26**  
**Final Provisions on Fundamental Matters**

The Executive Board may delegate onto the Bastonário or President or onto the Regional Boards the competences assigned by the present Regulation, pursuant to Article 35 (d) and Article 45 (2) c) of the Statute, respectively.



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