

Law no. 138/2015

of 7 September

Second amendment to the Bylaws of the Portuguese Psychologists Association (Ordem dos Psicólogos Portugueses), passed by Law no. 57/2008 of 4 September, to conform to Law no. 2/2013 of 10 January establishing the legal scheme for the creation, organisation and functioning of professional public associations.

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

Article 1

Purpose

This law shall make the second amendment to Law no. 57/2008 of 4 September, as amended by Law no. 27/2012 of 31 July creating the Portuguese Psychologists Association and approving its Bylaws, for the purpose of adapting it to Law no. 2/2013 of 10 January establishing the legal scheme for the creation, organisation and functioning of professional public associations.

Article 2

Amendment to Law no. 57/2008 of 4 September

Article 4 of Law no. 57/2008 of 4 September, as amended by Law no. 27/2012 of 31 July, shall now read as follows:

“Article 4

Administrative supervision

The powers of administrative supervision over the Portuguese Psychologists Association, pursuant to article 45 of Law no. 2/2013 of 10 January and the respective Bylaws, shall be exercised by the government member in charge of the area of health.”

Article 3

Amendment to Bylaws of the Portuguese Psychologists Association

The Bylaws of the Portuguese Psychologists Association, passed by an annex to Law no. 57/2008 of 4 September, as amended by Law no. 27/2012 of 31 July, shall now read as stated in Annex I to this law, which shall comprise an integral part hereto.

Article 4

Transitional provision

1 – The provisions of this law shall not affect the current composition of the boards of the Portuguese Psychologists Association or terms of office in progress on the date of its entry to force with the initially defined duration.

2 – Until the approval of the regulations referred to in the following paragraph, the regulations issued by the Portuguese Psychologists Association that do not conflict with the Bylaws approved in the annex to this law shall remain in effect.

3 – The Portuguese Psychologists Association shall approve, within 180 days of the date of entry into force of this law, the regulations provided for in the Bylaws approved in the annex to this law.

4 – Within 120 days of the entry into force of this law, the holders of one of the qualifications referred to in article 54 (1 a through c) of the Bylaws approved in the annex to this law, who can prove the professional practising of psychology for at least 12 months before 12 April 2010, may request exemption from the performance of a professional traineeship.

5 – The provisions of the above paragraph shall also apply to professionals having the qualifications referred to in article 54 (1d) of the Bylaws approved in the annex to this law.

6 – National professionals from a member state of the European Union or European Economic Area whose qualifications have been obtained outside of Portugal may choose between the scheme laid out in the following paragraphs, if applicable, and the scheme provided for in the Bylaws approved in the annex to this law.

7 – Notwithstanding the provisions of article 63 of the Bylaws approved in the annex to this law, those meeting all of the following conditions may also register with the Association within 120 days of the entry into force of this law:

- a) Start of training prior to the start of bachelor's degrees in Psychology in public higher education;
- b) Start of practice prior to the graduation year of first bachelor's degree holders in Psychology in public higher education;
- c) Work experience in the area of psychology, namely in training the first Portuguese psychologists or in implementing psychology services in Portugal;
- d) Continuous professional practice in the area of psychology.

8 – The means of proving the professional experience referred to in the above paragraph shall be determined in the Enrolment Regulations of the Portuguese Psychologists Association.

9 – The limitation on the terms of office of executive boards established in the Bylaws approved in the annex to this law shall only be effective for boards elected after the entry into force of this law.

Article 5

Repealing provision

Articles 2, 3 and 5 of Law no. 57/2008 of 4 September, as amended by Law no. 27/2012 of 31 July, are hereby revoked.

Article 6

Republication

Law no. 57/2008 of 4 September, in its current wording, is now republished in Annex II to this law, comprising an integral part hereto.

Article 7

Entry into force

This law shall enter into force 30 days after its publication.

Passed on 22 July 2015.

The President of the Assembly of the Republic, Maria da Assunção A. Esteves.

Enacted on 20 August 2015.

For publication.

The President of the Republic, Aníbal Cavaco Silva.

Signed on 24 August 2015.

By the Prime Minister, Paulo Sacadura Cabral Portas, Deputy Prime Minister.

ANNEX I

(referred to in article 3)

BYLAWS OF THE PORTUGUESE PSYCHOLOGISTS ASSOCIATION

CHAPTER I

General provisions

SECTION I

Nature, purposes, responsibilities and applicable professions

Article 1

Legal status

1 – The Portuguese Psychologists Association, hereinafter abbreviated “Association”, is the professional public association representing those who practice the profession of psychologist pursuant to these Bylaws and other applicable legal provisions.

2 – The Association is a public legal person governed by the law of its creation, by Law no. 2/2013 of 10 January and by the provisions of these Bylaws.

Article 2

Administrative autonomy of ownership and finance

1 – The Association shall enjoy administrative autonomy and, in the exercising of its public powers, shall execute on a definitive basis, notwithstanding supervisory approval as provided for by law, the administrative acts needed to perform its duties and approve regulations provided for by law and these Bylaws.

2 – The Association shall have autonomous ownership and finance, together with budgetary autonomy.

Article 3

Purposes

The Association's purposes are to control access to, and the practising of, the profession of psychologist; create respective technical and ethical standards pursuant to the law; and exercise disciplinary power over its members under an autonomous disciplinary scheme.

Article 4

Responsibilities

The Association shall have the following responsibilities:

- a) Defending the general rights of users;
- b) Representing and defending the general interests of the profession;
- c) Regulating access to and the practising of the profession;
- d) Granting, on an exclusive basis, professional titles and titles of professional specialisation;
- e) Giving awards and honorary titles pursuant to these Bylaws;
- f) Creating and updating a registry of its members;
- g) Exercising disciplinary power;
- h) Providing services to its members on professional practice, namely with regard to vocational training and information;
- i) Cooperating with other public administration entities to pursue public interests related to the profession;
- j) Participating in drawing up legislation involving access to, and the practising of, the profession of psychologist;
- k) Participating in official processes of accrediting and evaluating courses providing access to the profession;

l) Recognising professional qualifications obtained outside of Portugal, pursuant to the law, under European Union law or international convention;

m) Any other responsibilities attributed to it by law.

Article 5

Applicable professions

1 – The Association shall encompass those psychology professionals who, in accordance with these Bylaws and applicable legal provisions, practice the profession of psychologist.

2 – Notwithstanding the provisions of article 63 (1), all those practising the profession of psychologist, whether on an independent or employed basis, regardless of the public, private, cooperative or social sector in which they do so, shall be obliged to enrol.

3 – The practising of the profession on an employed basis shall not affect technical autonomy, nor waive the fulfilment of ethical obligations.

SECTION II

Scope, main office, delegations and insignias

Article 6

Scope and main office

1 – The Association shall be national in scope.

2 – The Association's main office shall be in Lisbon.

3 – The Association shall have regional delegations in the regions of northern Portugal, central Portugal, southern Portugal and the Autonomous Regions of the Azores and Madeira.

Article 7

Insignias

The Association shall have the right to use its own insignia and seal, per templates to be approved by the meeting of representatives, by proposal of the management.

CHAPTER II

Organisation of the Association

SECTION I

General provisions

Article 8

Territory and operation

1 – The Association shall have national and regional bodies, pursuant to these Bylaws.

2 – The Association shall function based on principles of representative democracy and the separation of powers.

Article 9

Boards

1 – The Association shall have the following national boards:

- a) Meeting of representatives;
- b) Management;
- c) President;
- d) Jurisdictional council;
- e) Audit board.

2 – The Association shall have the following regional boards:

- a) Regional meeting;
- b) Regional management.

Article 10

Performance of duties

1 – Notwithstanding the provisions of the following paragraph, the performance of duties at the Association’s boards shall not be remunerated.

2 – By decision of the meeting of representatives, the performance of permanent executive duties at the Association’s boards may be remunerated, pursuant to the provisions of regulations.

Article 11

Eligibility for practice by members of the Association’s boards

1 – Members of the Association’s executive boards who are employed workers shall be entitled, for the performance of duties in their elected positions, to the following:

a) Unpaid leave, with a maximum duration of the respective term of office, to be given pursuant to employment legislation;

b) Hourly credit corresponding to 24 working days per year, usable as half-day periods, counting as actual service for all legal purposes.

2 – Members of the Association’s non-executive boards shall be entitled to 24 justified absences, counting as actual service for all legal purposes, except with regard to remuneration or other consideration.

3 – The Association shall notify, by appropriate secure means (including email), the employers of corporate board members of the dates and number of days needed to perform their respective duties.

4 – The notification referred to in the above paragraph shall be done at least five days in advance or, in the event of extraordinary meetings or activities of the Association’s boards, immediately at the time of their summoning.

SECTION II

Elections and electoral process

Article 12

Electoral bureau

The presiding board of the meeting of representatives shall serve as the electoral bureau in board elections.

Article 13

Applications

1 – Board candidate lists shall be submitted to the chairperson of the presiding board of the meeting of representatives.

2 – Each list shall be signed by at least 100 full members, containing the names of all board candidates and their respective substitutes per each board, accompanied by a corresponding statement of acceptance.

3 – Applications must be submitted at least 60 days in advance of the designated election date.

4 – If the term of office ends prior to its scheduled expiry date, applications must be submitted at least 30 days in advance of the election.

Article 14

Electoral roll

1 – Electoral rolls shall be posted at the Association's main national office at least 45 days before the date of the electoral assembly.

2 – Enrolment irregularities or electoral roll omissions may be reported by any voter to the electoral bureau up to 15 days following the date of posting referred to in the above paragraph, with a decision to be given by the electoral bureau within 48 hours.

Article 15

Electoral committee

1 – The electoral committee shall be comprised of the chairperson of the presiding board of the meeting of representatives and by two representatives from each list of candidates, and shall begin functioning 24 hours after the submission of applications.

2 – The representatives of each list of candidates must be specified at the time of submitting the respective applications.

3 – The electoral committee shall be responsible for:

- a) Overseeing the electoral process and settling any issues that may arise within its scope;
- b) Drawing up reports on any irregularities and submitting them to the electoral bureau;
- c) Distributing support resources provided by the Association's management among the different lists of candidates.

Article 16

Correction of irregularities

1 – The electoral bureau shall check applications for irregularities within five days following the list submission deadline.

2 – With a view to correcting any irregularities found, documentation shall be returned to the first signatory on the list, who must remedy it within three working days.

3 – Any applications not remedied within the deadline referred to in the above paragraph shall be considered automatically rejected.

Article 17

Ballots

1 – Ballots shall be issued by the Association, with prior approval from the electoral bureau.

2 – Ballots and candidate lists shall be sent to all members of the electoral bureau at least 10 working days before the scheduled election date, and will be available at the voting location.

Article 18

Voter identity

Voters shall be identified via their professional licence or, in the lack thereof, by means of a civil identification document.

Article 19

Voting

- 1 – Elections shall be done by means of direct, secret and periodic universal suffrage.
- 2 – Only full members in the full enjoyment of their rights shall be entitled to vote.
- 3 – In the case of postal voting, ballots shall be enclosed in an envelope accompanied by a letter signed by the voter and a photocopy of his/her special licence.
- 4 – Proxy voting shall not be permitted.
- 5 – Voting shall be done separately for each board.

Article 20

Election date

- 1 – The elections shall be held during the last quarter of the year immediately preceding the subsequent four-year period.
- 2 – The election date shall be the same for all boards submitted to suffrage.
- 3 – The chairperson of the presiding board of the meeting of representatives shall be responsible for scheduling the election date.
- 4 – Elections shall be summoned at least 90 days before the election date.

Article 21

Terms of office

- 1 – Members of elected boards shall have a four-year term of office.
- 2 – The election of board members to a third consecutive term of office in the same position shall not be permitted.
- 3 – Whenever interim elections are needed for any of the Association's boards, the respective term of office shall match the duration of the other boards' term of office.
- 4 – Notwithstanding the provisions of article 32 with regard to the president, members may not simultaneously hold more than one position on statutory boards.

Article 22

Polling stations

1 – For the purposes of holding elections, a polling station shall be established at the main national office and at each of the regional delegations, notwithstanding the establishment of other stations, in this case, to ensure easy access to voting stations for all members.

2 – The establishment of other stations beyond the main national office and each of the regional delegations shall depend on a decision by the management, having heard the electoral bureau.

Article 23

Complaints and appeals

1 – Voters may submit complaints based on election irregularities to the electoral bureau within three days following the election's closing.

2 – The electoral bureau shall access the complaint within 48 hours, with a decision notified to the complainant in writing and posted at the Association's main office.

3 – The electoral bureau's decision shall be subject to appeal to the jurisdictional council within eight working days of the complainants' receipt of the electoral bureau's decision.

4 – The jurisdictional council shall be summoned by its president, for this purpose, within the following eight days.

Article 24

Election financing

The Association shall contribute to election expenses in an amount to be determined by the management.

Article 25

Inauguration

All elected boards shall be inaugurated within one month of the election date.

Article 26

Resignation and suspension

1 – Members of the Association’s boards shall be entitled to resign from the term of office for which they were elected.

2 – Any member of the Association’s boards may request, from the chairperson of the respective board, the temporary suspension of his/her duties, on duly justified grounds, for a maximum of six months.

3 – Resignations and suspensions to the term of office shall be notified to the chairperson of the respective boards and to the chairperson of the presiding board of the meeting of representatives.

4 – The resignation of the president shall be exempt from the provisions of (2) and (3), and must be submitted only to the chairperson of the presiding board of the meeting of representatives.

5 – The resignation or dismissal, pursuant to article 92 (7), of more than half of the members elected to a given board, after all replacements have been made by the respective elected substitutes, shall require the holding of elections for the board in question.

SECTION III

Boards

Article 27

Meeting of representatives

The meeting of representatives shall be comprised of 50 members.

Article 28

Powers of the meeting of representatives

The meeting of representatives shall be responsible for:

- a) Electing and dismissing its presiding board, pursuant to these Bylaws;
- b) Approving the budget and activity plan;
- c) Approving the annual report and activity report to be submitted to the Assembly of the Republic and to the Government;

- d) Approving plans to amend these Bylaws;
- e) Approving proposals to create new specialties;
- f) Approving proposed regulations submitted by the management;
- g) Approving the amounts of dues and fees, by proposal of the management, together with the respective collection scheme;
- h) Approving the signing of agreements with other counterpart associations, by proposal of the management;
- i) Approving its statutes;
- j) Deciding on any issues not allocated to other boards.

Article 29

Operation

1 – The meeting of representatives shall hold ordinary meetings:

- a) For the election of the presiding board of the meeting of representatives;
- b) To approve the budget, activity plan and annual report and accounts.

2 – The meeting of representatives shall hold extraordinary meetings whenever the circumstances so dictate and when summoned by its chairperson, at his/her initiative or by request of the management, any of the regional managements or at least one third of its members.

3 – If, at the scheduled starting time of the meeting of representatives, at least one half of its full members are not in attendance, the meeting shall begin one half hour later, with any number of members present.

4 – The meeting of representatives may only make effective decisions with the attendance of at least one third of its full members.

5 – The meeting of representatives for the purpose of discussing and voting on the annual report and accounts shall be held before the end of March of the year following that of the report.

6 – The meeting of representatives for the purpose of discussing and voting on the activity report to be submitted to the Assembly of the Republic and to the government shall be held before 20 March of the year following that of the report.

Article 30

Meeting notice

1 – The meeting of representatives shall be summoned by its president by means of postal or electronic notice to each of its full members, at least 15 days in advance of the scheduled meeting date.

2 – The meeting notice shall include the meeting agenda, time and location.

Article 31

Presiding board of the meeting of representatives

The presiding board of the meeting of representatives shall be comprised of one chairperson and two secretaries.

Article 32

Management

The management shall be comprised of one chairperson (the president), two vice-chairmen and an even number of at least six members.

Article 33

Powers

The management shall be responsible for:

- a) Deciding on the acceptance of registrations or ordering their cancellation, by own request or by decision of the jurisdictional council;
- b) Drawing up a registry of all members and keeping it up-to-date;
- c) Enforcing the decisions of the meeting of representatives;
- d) Drawing up regulations, and proposing their approval to the meeting of representatives;

- e) Submitting proposals to create new specialties to the meeting of representatives;
- f) Managing the Association's activities;
- g) Issuing, either directly or through committees established for this purpose, opinions and information to public and private entities, within the scope of the Association's responsibilities;
- h) Collecting revenues and paying expenses laid out in the budget;
- i) Drawing up, and submitting to the meeting of representatives, the annual activity plan and report, accounts and budget;
- j) Hiring the statutory auditor to be included on the audit board, by proposal of this board's members;
- k) Approving the respective statutes.

Article 34

Operation

- 1 – The management shall hold ordinary meetings once per month, together with extraordinary meetings whenever summoned by its chairperson.
- 2 – The management may only make valid decisions when more than half of its members are in attendance.
- 3 – Decisions shall be made by a simple majority of members present, with the chairperson having the casting vote.

Article 35

President

The president represents the Association as the chairperson of the management.

Article 36

Powers

The president shall be responsible for:

- a) Representing the Association in and out of court, namely before sovereign bodies and community and international organisations;
- b) Enforcing and ensuring the enforcement of decisions of the management and other national bodies;
- c) Exercising the powers of management under urgent circumstances, or when so delegated;
- d) Ensuring the normal functioning of the Association's services, in compliance with the law, these Bylaws and respective regulations;
- e) Appointing the vice-chairperson to replace him/her in times of absence or impediment.

Article 37

Eligibility

Full members must have at least 10 years of professional practice to apply for the position of president.

Article 38

Means of binding the Association

1 – The Association shall be legally bound by the signatures of the president and one other active member of management.

2 – The management may appoint representatives to carry out given acts, determining the scope and duration of the powers delegated for this purpose.

Article 39

Joint and several liability

1 – Board members shall have joint and several liability for acts carried out during the term of office granted to them.

2 – The provisions of the above paragraph shall not apply to members not in attendance at the meeting in which the decision was made or, when in attendance, who voted expressly against the decision in question, as stated in the respective meeting minutes.

Article 40

Jurisdictional council

1 – The jurisdictional council shall be comprised of five members, including one chairperson.

2 – The jurisdictional council shall be assisted by a legal consultant.

Article 41

Powers

The jurisdictional council shall be responsible for:

a) Ensuring compliance with the law, these Bylaws and internal regulations, both on the part of the Association's boards and all of their members;

b) Giving its opinion on proposed amendments to these Bylaws and to regulations;

c) Prepare and judge all disciplinary proceedings against members;

d) Rule on appeals against the validity of decisions of other boards of the Association, at the request of interested parties;

e) Approving the respective statutes.

Article 42

Eligibility

Full members must have at least 10 years of professional practice to apply for the position of chairperson of the jurisdictional council.

Article 43

Operation

1 – The jurisdictional council shall meet at the Association's main office, when summoned by its chairperson.

2 – Decisions shall be made by a majority, with the chairperson having the casting vote, not subject to abstentions.

Article 44

Audit board

- 1 – The audit board shall be comprised of one chairperson and two members.
- 2 – The audit board shall also include a statutory auditor.

Article 45

Powers

The audit board shall be responsible for:

- a) Examining and issuing an opinion on the annual accounts to be submitted by management to the meeting of representatives;
- b) Monitoring the Association's financial and asset management;
- c) Submitting suggestions deemed of interest to the management;
- d) Overseeing the management's activities;
- e) Preparing the minutes for its meetings.

Article 46

Regional boards

- 1 – The regional meeting shall be comprised of all members enrolled in the Association whose professional domicile is located in the geographic area included in the regional delegation.
- 2 – The regional management shall be comprised of one chairperson and an even number of at least two members.

Article 47

Powers and operation

- 1 – The regional assembly shall be responsible for:
 - a) Electing its presiding board;

- b) Approving the budget, activity plan and accounts of the regional management;
- c) Deciding on issues of a regional scope, on its own initiative or at the request of the regional management;
- d) Approving its statutes.

2 – The regional management shall be responsible for:

- a) Representing the Association in its respective geographic area, namely before public entities with jurisdiction there, whenever mandated by the management for this purpose;
- b) Executing decisions of the meeting of representatives and regional meeting, and the directives of the management;
- c) Exercising powers delegated by the management;
- d) Executing the budget of the regional delegation;
- e) Managing regional services;
- f) Preparing the annual report and accounts approved by the regional meeting, and submitting it to management;
- g) Approving its statutes.

SECTION IV

Colleges

Article 48

Specialty colleges

1 – The Association shall have specialty colleges in clinical psychology and health, educational psychology and occupational, social and organisational psychology.

2 – Each specialty college shall be comprised of all members having the corresponding specialisation.

3 – All specialisations shall have a specialty college.

Article 49

Specialty board

Each professional specialty college shall be governed by a specialty board comprised of one chairperson, one secretary and three members, elected for four years by the members of the respective specialisation, in accordance with internal regulations approved by management.

Article 50

Specialty title

1 – The Association shall award the following specialty titles:

- a) Clinical and health psychology;
- b) Educational psychology;
- c) Occupational, social and organisational psychology.

2 – The awarding of specialty titles shall be governed by regulations drawn up by management and approved by the meeting of representatives.

3 – The regulations referred to in the above paragraph shall only be effective after their approval by the government member in charge of the area of health.

4 – The creation of new specialisations shall be done by law, pursuant to the provisions of these Bylaws.

CHAPTER III

External responsibility of the Association

Article 51

Annual report and information obligations

1 – The Association shall prepare an annual report on the performance of its duties, to be submitted to the Assembly of the Republic and to the government before 31 March of each year.

2 – The Association shall provide the Assembly of the Republic and the government with all information requested regarding the performance of its duties.

3 – The president shall respond to requests from competent parliamentary committees to provide necessary information and clarifications.

Article 52

Appeals

1 – The acts carried out by the Association’s regional boards shall be subject to hierarchical appeal, when lodged within eight working days.

2 – Any acts or omissions of the Association’s boards in exercising public powers shall be subject to administrative litigation, pursuant to laws on administrative procedure.

3 – Notwithstanding the provisions of the above paragraph, the administrative appeals referred to therein may not be lodged without first employing all of the internal resources provided for in these Bylaws, namely appeals to the jurisdictional council.

CHAPTER IV

Members and other psychology service providers

SECTION I

Enrolment

Article 53

Mandatory nature

1 – The awarding and use of a professional title, and the practising of the profession of psychologist, in any business sector, whether individually or at a professional firm, shall depend on enrolment with the Association as a full member, notwithstanding the provisions of (5) of the following article.

2 – For the purposes of the above paragraph, “any business sector” shall mean the public, private, cooperative, social or any other sector, regardless of whether practising individually or on employed basis.

3 – The provision of psychology services by companies employing or subcontracting psychologists shall not depend on enrolment with the Association, notwithstanding the professional firms scheme and the provisions of article 63 (1).

Article 54

Enrolment

1 – The following must enrol with the Association as members to practice the profession of psychologist:

a) Holders of a bachelor's degree in psychology granted following a course of study, including a curricular traineeship, done within the academic organisational framework preceding the academic organisational scheme introduced by Decree Law no. 74/2006 of 24 March, as amended by Decree Law no. 107/2008 of 25 June, Decree Law no. 230/2009 of 14 September and Decree Law no. 115/2013 of 7 August;

b) Holders of a master's degree in psychology granted following a course of study under a master's degree organised pursuant to article 14 (7) of the Framework Law of the Education System passed by Law no. 46/86 of 14 October, including a curricular traineeship;

c) Holders of bachelor's and master's degrees in psychology granted following courses of study for a bachelor's and master's degree in psychology, including a curricular traineeship, done within the academic organisational framework passed by Decree Law no. 74/2006 of 24 March, as amended by Decree Law no. 107/2008 of 25 June, Decree Law no. 230/2009 of 14 September and Decree Law no. 115/2013 of 7 August;

d) Holders of a higher foreign academic degree in the field of psychology, including a curricular traineeship, which has been granted equivalency to one of the degrees referred to in the above subparagraphs;

e) National professionals from a member state of the European Union or European Economic Area whose qualifications have been obtained outside of Portugal, pursuant to article 62.

2 – The enrolment of nationals from third states whose qualifications have been obtained outside of Portugal, and who are subject to the provisions of (d) of the above paragraph, shall also depend on a guarantee of reciprocal treatment, pursuant to an international convention, including the convention signed between the Association and the comparable authority from the interested party's country of origin.

3 – Enrolment in the Association for the purpose of practising the profession may be denied:

- a) Due to a lack of academic training pursuant to (1a through d);
- b) When the interested party has received the disciplinary punishment of expulsion, and 10 years have not elapsed since the handing down of the final ruling.

4 – The following may also enrol with the Association as members:

- a) Professional psychologist firms, including the affiliates of psychology associations established under the law of another State, pursuant to article 71;
- b) Permanent offices in the Portuguese territory of psychology associations established under the law of another State, wishing to be members of the Association, pursuant to article 72.

5 – The provisions of article 63 (1) shall apply to the occasional and sporadic practising of the profession of psychologist in the Portuguese territory, under a free provision of service scheme, by national professionals from a member state of the European Union or European Economic Area whose professional qualifications have been obtained outside of Portugal.

Article 55

Professional traineeships

1 – To become a full member of the Association, professionals whose training has been obtained in Portugal must complete a mandatory professional traineeship sponsored and organised by the Association in accordance with a traineeship plan submitted to and monitored by a traineeship supervisor.

2 – In addition to the provisions of these Bylaws, professional traineeships shall be governed by internal regulations created by management and approved by the meeting of representatives, which shall only be effective after their approval by the government member in charge of the area of health.

3 – Professional traineeships shall have a duration of 12 months from the date of enrolment.

4 – Notwithstanding the provisions of the above paragraph, traineeships may be extended on an exceptional basis, by trainee request, pursuant to the traineeship regulations, up to a maximum of 18 months.

5 – Trainees shall not be considered enrolled until all documents required by laws and regulations, including the traineeship project, have been assessed by the Association.

6 – The Association’s assessment pursuant to the above paragraph shall occur within 30 days of the submission date of all documents by the traineeship applicant.

7 – The purpose of the traineeship is for the trainee to apply theoretical knowledge from his/her academic training in a real work context, develop specific problem-solving abilities, and acquire essential skills and work methods for the competent and responsible practising of the profession.

8 – Enrolment as a trainee member may occur at any time.

9 – National professionals from a member state of the European Union or European Economic Area whose qualifications have been obtained outside of Portugal wanting to do a traineeship in the Portuguese territory may enrol as a trainee member of the Association.

10 – Professional traineeships as a compensation measure shall be governed by Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

11 – During the professional traineeship, trainees shall benefit from personal accident insurance and professional insurance, to be purchased by the trainee or host entity.

Article 56

Rights and obligations of trainee members

1 – Trainee members shall have the following obligations, both in and outside of the Portuguese territory:

a) To respect the principles laid out in these Bylaws, the code of ethics and other regulations approved by the Association’s boards;

b) To respect the rules and conditions in effect at the host entity;

- c) To be guided by a professional who is a full member of the Association, in full enjoyment of the rights applicable to this title, with at least five years of professional experience;
- d) To be respectful and upstanding to the professional traineeship supervisor and to the host entity;
- e) To participate in defining the parameters of traineeship's functioning and orientation, and to comply with the terms of the professional traineeship project;
- f) To keep a record of hours, to be confirmed by the traineeship supervisor;
- g) To collaborate with diligence, commitment and competence in all activities, work and training done under the professional traineeship;
- h) To draw up and submit a traineeship report;
- i) To pay mandatory dues or fees in a timely manner.

2 – The trainee shall have the following rights:

- a) To be backed by the Association in defending his/her professional rights and interests;
- b) To access all institutional means of communication available to members;
- c) To access all technical and scientific resources available to the Association;
- d) To access all benefits under agreements between the Association and any institutions;
- e) To receive an average of one hour of orientation per week;
- f) To participate in training courses for trainees organised by the Association;
- g) To enrol with the Association as a full member after completing the professional traineeship, pursuant to the traineeship regulations.

Article 57

Rights and obligations of the traineeship supervisor

1 – The professional traineeship supervisor shall be responsible for managing and overseeing the trainee's activities.

2 – Any full member with at least five years of professional experience may supervise a professional traineeship.

3 – Professional traineeship supervisors shall be subject to the following specific duties:

- a) Ensuring the fulfilment of the professional traineeship project;
- b) Ensuring the professional and ethical rigour of the training granted to the trainee as well as the standards imposed on him/her;
- c) Providing regular training to the trainee;
- d) Assessing and ratifying the trainee time record, pursuant to the traineeship regulations;
- e) Giving an opinion on requests to extend or suspend the traineeship period submitted by the trainee psychologist;
- f) Assessing the trainee's final report, accompanied by a justified opinion with a decision on the trainee's fitness or unfitness to practice his/her professional duties, and sending it to the management;
- g) Cooperating with the Association in the trainee psychologist's final evaluation;
- h) Cooperating with the competent authority of another state whenever the professional intends to enter the profession there.

4 – Traineeship supervisors shall specifically have the right to:

- a) Receive, on the part of the Association, professional training needed for the duties of professional traineeship supervisor;
- b) Be recognised by the Association, in terms of professional experience, for performing the duties of professional traineeship supervisor.

5 – Supervisors may not supervise more than five professional traineeships in a given year.

Article 58

Suspension of traineeship

1 – The trainee may, for reasonable and duly justified reasons, request suspension of his/her traineeship, immediately providing the expected duration of the suspension.

2 – The suspension may not exceed six consecutive or non-consecutive months.

3 – The six-month period referred to in the above paragraph may be extended, if the trainee so requests and demonstrates the associated need, namely due to illness, pregnancy, maternity and paternity.

Article 59

Completion of professional traineeship

1 – Upon completing the duration of the professional traineeship, the trainee shall submit a final traineeship report describing the activities done over its course.

2 – The final traineeship report must be accompanied by the opinion of the traineeship supervisor.

3 – The professional traineeship's completion date shall be the date on which a final grade is given for the trainee's performance, which shall be notified to the interested party within 15 working days.

4 – If the traineeship report is not submitted, or if the trainee's overall grade is "not approved", his/her enrolment as a trainee shall be terminated.

5 – The time elapsed between the acceptance of the trainee's enrolment and the notification of the final grade referred to in (3) may not exceed 18 months.

Article 60

Professional licence

1 – At the time of admission to professional enrolment, a professional licence shall be issued as a full member or trainee member, as applicable, signed by the president.

2 – The professional license shall follow a model to be approved by the meeting of representatives.

Article 61

Suspension and cancellation

1 –The following members shall be suspended from the Association:

- a) Members subject to a disciplinary suspension measure;
- b) Members requesting suspension on their own initiative;
- c) Members in a situation of incompatibility for practising the profession.

2 – Enrolment in the Association shall be cancelled for the following members:

- a) Members subject to a disciplinary expulsion measure;
- b) Members no longer practising the profession voluntarily, and stating their intent to cancel to the management.

3 – Enrolment in the Association shall be immediately terminated in the event of a penalty resulting in prohibition from practising the profession.

SECTION II

Professionals from the European Union and European Economic Area

Article 62

Right of establishment

1 – The recognition of professional qualifications of nationals from a member state of the European Union or European Economic Area obtained outside of Portugal, for the purposes of enrolment as a member of the Association, shall be governed by Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, notwithstanding the special conditions of reciprocity, if the qualifications in question were obtained outside of the European Union or European Economic Area.

2 – A professional wishing to enrol with the Association pursuant to the above paragraph and provide services, in a subordinate or autonomous manner or in the capacity of partner, manager or director in the member state of origin, within the scope of a professional association, shall, pursuant to article 37 (4) of Law no. 2/2013 of 10 January, identify the organisation in question in the request submitted pursuant to article 47 of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

3 – If the fact to be notified pursuant to the above paragraph occurs after the submission of the request for the recognition of qualifications, the association in question must be identified to the Association within 60 days.

Article 63

Free provision of services

1 – Professionals legally established in another member state of the European Union or European Economic Area who carry out activities comparable to the professional activity of psychologist regulated by these Bylaws may perform them in the Portuguese territory, in an occasional and sporadic manner, under a free service provision scheme pursuant to Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

2 – The professionals referred to in the above paragraph may use the professional title of psychologist, and shall be equivalent to psychologists for all legal purposes, except when resulting otherwise from legal provisions in question.

3 – A professional providing services in a subordinate or autonomous manner or in the capacity of partner, manager or director in the member state of origin, within the scope of a professional association, wishing to practice his/her profession in the Portuguese territory in this capacity under a free service provision scheme, shall identify, to the Association, the association on whose behalf he/she provides services, in the statement referred to in article 5 of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

Article 64

E-commerce

Professionals legally established in another member state of the European Union or European Economic Area who carry out activities comparable to the professional activity of psychologist regulated by these Bylaws may perform them, by means of e-commerce, for the Portuguese territory, in compliance with the requirements applicable to the member state of origin, namely the ethical standards in force there, together with the permanent provision of information pursuant to article 10 of Decree Law no. 7/2004 of 7 January, as amended by Decree Law no. 62/2009 of 10 March and Law no. 46/2012 of 29 August.

SECTION III

Categories of members

Article 65

Categories of members of the Association

The Association shall include full members, trainee members, corresponding members, honorary members and meritorious members.

Article 66

Full members

The following shall be considered full members:

- a) Professionals in psychology who meet the enrolment requirements of these Bylaws;
- b) Professional psychologist firms and permanent offices of the psychology associations referred to in article 54 (4), enrolled pursuant to these Bylaws.

Article 67

Trainee members

Professionals whose training, as referred to in article 54, has been obtained outside of Portugal and who have not completed a professional internship, together with the professionals referred to in article 55 (9), shall be considered trainee members.

Article 68

Corresponding members

1 – The following shall be considered corresponding members:

- a) Professionals who carry out their activities exclusively abroad;
- b) Members of comparable counterpart associations providing equal treatment to members of the Association.

2 – Corresponding members shall enjoy the rights and shall be subject to the duties expressly applicable to them pursuant to these Bylaws.

Article 69

Honorary members

1 – Natural or legal persons who, carrying out or having completed activities of recognised public interest contributing towards the dignity and prestige of the profession of psychologist, are considered deserving of such a distinction, shall be admitted as honorary members.

2 – The capacity of honorary member shall be granted by proposal of the management and by approval of the meeting of representatives.

3 – Honorary members shall enjoy the rights and shall be subject to the duties expressly applicable to them pursuant to these Bylaws.

Article 70

Meritorious members

1 – Natural or legal persons who, having made a monetary or asset contribution on behalf of the Association, are considered deserving of such a distinction, shall be admitted as meritorious members.

2 – The capacity of meritorious member shall be granted by proposal of the management and by approval of the meeting of representatives.

3 – Meritorious members shall enjoy the rights and shall be subject to the duties expressly applicable to them pursuant to these Bylaws.

Article 71

Professional firms

1 – Psychologists established in the Portuguese territory may practice the profession in groups, provided that they are established or admitted as partners in professional psychologist firms.

2 – The following may also be partners of professional psychologist firms:

a) Professional psychologist firms previously established and enrolled as members of the Association;

b) Professional associations comparable to psychologists, established in another member state of the European Union or European Economic Area, whose capital and voting rights fall primarily on the professionals in question.

3 – The capital requirement referred to in b) of the above paragraph shall not apply if the organisation has no share capital.

4 – The judgement of comparability referred to in (2b) shall be governed:

a) For nationals of a member state of the European Union or European Economic Area, by article 1 (4) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May;

b) For nationals of third countries whose qualifications were obtained outside of Portugal, by the international scheme of reciprocity in force.

5 – Psychologist firms shall enjoy the rights and shall be subject to the duties applicable to professional members of the Association as compatible to their nature, namely the principles and rules of ethics contained in these Bylaws.

6 – Professional firms shall not be given eligibility to vote.

7 – Executive board members of professional psychologist firms, regardless of their capacity as members of the Association, shall comply with the principles and rules of ethics, technical and scientific autonomy and guarantees granted to psychologists by the law and by these Bylaws.

8 – Psychologist firms may carry out, on a secondary basis, any activities not incompatible with the profession of psychology, in relation to which there are no impediments pursuant to these Bylaws; such activities shall not be subject to the Association's control.

9 – The establishment and functioning of professional firms shall be governed by a separate law.

Article 72

Professional associations of other member states

1 – Professional associations comparable to psychologists, established in another member state of the European Union or European Economic Area, whose capital and voting rights fall primarily on the professionals in question and/or on other associations whose capital and voting rights fall primarily on these professionals, may enrol their permanent offices in Portugal, established pursuant to commercial law, as members of the Association, and as such considered comparable to psychologist firms for the purposes of this law.

2 – The capital requirements referred to in the above paragraph shall not apply if the association has no share capital, in which case the requirement of allocating the majority of voting rights to the professionals referred to therein shall apply in lieu of these requirements.

3 – The judgement of comparability referred to in (1) shall be governed:

a) For nationals of a member state of the European Union or European Economic Area, by article 1 (4) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May;

b) For nationals of third countries whose qualifications were obtained outside of Portugal, by the international scheme of reciprocity in force.

4 – The legal scheme for enrolling professional associations of other member states shall be determined under a law governing the establishment and functioning of professional firms.

5 – Professional associations of other member states shall not be given eligibility to vote.

Article 73

Other service providers

Legal persons providing psychology services and not established in the form of a professional firm shall not be subject to enrolment in the Association, notwithstanding the mandatory enrolment of the professionals performing the respective activities there, pursuant to these Bylaws.

Article 74

Obligations of psychology service providers

1 – All psychologists and professional psychologist or equivalent firms shall be subject to the requirements of article 19 (1) and (2) and articles 20 and 22 of Decree Law no. 92/2010 of 26 July, as well as, with regard to services provided by electronic means, the provisions of article 10 of Decree Law no. 7/2004 of 7 January, as amended by Decree Law no. 62/2009 of 10 March.

2 – The provisions of the above paragraph shall not apply to services and bodies directly or indirectly administered by the state, autonomous regions or local municipalities, nor to other public non-corporate legal persons.

SECTION IV

Member rights and obligations

Article 75

Rights of full members

1 – Full members shall have the following rights:

- a) Practising the profession of psychologist;
- b) To be backed by the Association in defending their professional rights and interests;
- c) To be notified of all studies, provisions and opinions related to practising the profession;
- d) To benefit from publishing activities and use the services offered by the Association;
- e) To vote for and be elected to the Association's boards, except for the incapacities referred to in these Bylaws;
- f) To participate in activities and perform any duties within the scope of the Association, pursuant to these Bylaws;
- g) To participate in and benefit from the Association's social, cultural, recreational and scientific activities.

2 – Trainee members shall enjoy the rights not prohibited to them and not incompatible with their status.

3 –The failure to pay contributions for more than six months, following prior warning, shall result in prohibition from participating in the institutional life of the Association, and from enjoying its services, so long as the situation persists.

Article 76

Obligations of full members

Full members shall have the following obligations:

- a) Participating in the life of the Association;
- b) Respecting the principles of the code of ethics;
- c) Cooperating with committees and work groups when requested;
- d) Contributing towards the good reputation of the Association and helping to expand its sphere of influence;
- e) Performing the duties for which they are designated;
- f) Complying, and ensuring compliance with, the decisions of the Association's boards;
- g) Paying for dues and other regulatory fees;
- h) Updating their knowledge for practising the profession, in the case of professionals;
- i) Acting in solidarity in defending the shared interests of the Association's members;
- j) Using professional seal stamp, pursuant to the regulations for their use.

Article 77

Rights and obligations of corresponding members

1 – The rights of corresponding members shall be those referred to in article 75 (c) and (d).

2 – The duties of corresponding members shall be those referred to in (b) and (d) of the previous article.

Article 78

Right of honorary and meritorious members

The right of honorary and meritorious members shall be that referred to in article 75 (1c).

CHAPTER V

Financial scheme

Article 79

Revenues

1 – The following shall constitute revenues of the Association:

- a) Dues paid by its members;
- b) Fees charged for the services provided to its members;
- c) Income from the sale of its publications;
- d) Donations, inheritances, legacies and subsidies;
- e) Income from assets allocated to it;
- f) Revenues from activities and projects;
- g) Other revenues from own assets or other service provisions.

2 – Revenues shall be allocated to the Association's duties, pursuant to terms to be defined in the annual activity plan and budget.

3 – Service fees shall be determined in accordance with criteria of proportionality.

4 – Decisions on the determination of dues and fees shall be approved by the meeting of representatives, by absolute majority, by proposal of the management.

Article 80

Shares

1 – Dues shall be annual, notwithstanding their biannual, quarterly or monthly payment.

2 – The scheme for collecting dues shall be determined in separate regulations.

3 –The regulations referred to in the above paragraph may provide for different amounts of dues in accordance with the seniority of the enrolment.

4 – Revenues from dues shall be allocated to the Association’s duties, pursuant to terms to be defined in the annual activity plan and budget.

Article 81

Expenses

The Association’s expenses shall include installation expenditures and costs incurred for staff, maintenance, functioning and all others needed in the pursuit of its goals.

CHAPTER VI

Disciplinary scheme

SECTION I

General provisions

Article 82

Disciplinary infraction

1 – “Disciplinary infraction” shall mean any acts or omissions entailing the breach, by any member of the Association, of the duties established in these Bylaws and respective regulations.

2 – Disciplinary infractions shall be considered:

- a) Minor, when the perpetrator is in slight breach of the professional obligations to which he/she is bound in practising the profession;
- b) Serious, when the perpetrator is in serious breach of the professional obligations to which he/she is bound in practising the profession;
- c) Very serious, when the perpetrator is in breach of the professional obligations to which he/she is bound in practising the profession, insofar as such conduct affects professional prestige and dignity so as to definitively impair the practising of the profession.

3 – The disciplinary infractions referred to in these Bylaws and other applicable legal and regulatory provisions shall be punishable on the basis of fraud or negligence.

Article 83

Disciplinary jurisdiction

1 – Members of the Association shall be subject to the disciplinary power of the Association's boards, pursuant to these Bylaws and disciplinary regulations.

2 – During the time of the enrolment's suspension, the member of the Association shall remain subject to the Association's disciplinary power.

3 – The cancellation of enrolment shall not result in the termination of disciplinary responsibility for previous infractions.

4 – Punishments with the penalty of expulsion shall not result in the termination of the disciplinary responsibility of the member of the Association in relation to infractions committed before the respective final decision that had applied them.

Article 84

Independence from disciplinary responsibility of members of the Association

1 – Disciplinary responsibility shall be independent from civil and criminal liability arising from the same fact, and shall coexist with any other provided for by law.

2 – Disciplinary responsibility to the Association shall coexist with any other provided for by law.

3 – When, based on the same facts, criminal proceedings have been brought against a member of the Association and, to learn of the existence of a disciplinary infraction, any question must be judged, which cannot be conveniently settled in the disciplinary proceedings, the suspension of the disciplinary proceedings may be ordered during the time in which, by reason of judicial decision or the judicial assessment of any issue, the proceedings cannot begin or continue to take place.

4 – The suspension of disciplinary proceedings pursuant to the above paragraph shall be notified by the Association to the competent judicial authority, which shall order the

remittance to the Association of a copy of the bill of indictment and, if applicable, the final indictment.

5 – If the question has not been settled by the end of the time established pursuant to (3), it shall be decided in the disciplinary proceedings.

6 – Whenever, in criminal proceedings against a member of the Association, a date is scheduled for the trial hearing, the court shall order the remittance to the Association, preferably via electronic means, of the bill of indictment, final indictment and contestation, if one has been submitted, together with any other items requested by the management or by the president.

7 – Disciplinary responsibility of members to the Association for committing infractions shall be independent from disciplinary responsibility for the breach of duties arising from labour relations.

Article 85

Disciplinary responsibility of professional firms and of professionals under the free provision of services

1 – Legal persons who are members of the Association shall be subject to the disciplinary power of its boards, pursuant to these Bylaws and the law governing the establishment and functioning of professional firms.

2 – Professionals who provide services in the Portuguese territory under a free provision scheme shall be comparable to members of the Association for disciplinary purposes, pursuant to article 4 (2) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, with the specific provisions contained in article 92 (8) and the disciplinary regulations.

Article 86

Limitation period

1 – The right to bring disciplinary proceedings shall expire five years after the commitment of the act or the last act, in the case of repeat offences.

2 – If the disciplinary infraction simultaneously constitutes a criminal infraction for which the law establishes a longer limitation period, the disciplinary proceedings shall only expire at the end of this latter period.

3 – The limitation period of disciplinary proceedings shall begin on the day on which the act was committed.

4 – The limitation period shall only begin:

- a) For instantaneous infractions, from the time of their commitment;
- b) For continued infractions, from the date of committing the last act;
- c) For permanent infractions, from the date on which their commitment ends.

5 – The disciplinary proceedings shall also expire if, from the time of the competent board's awareness for initiating the disciplinary proceedings or from the time of reporting referred to in article 89 (1), the competent disciplinary proceedings do not begin within one year.

6 – The limitation period for the disciplinary proceedings shall be suspended for the time in which the disciplinary proceedings themselves are suspended, awaiting a bill of indictment or final indictment in criminal proceedings.

7 – The limitation period shall resume beginning on the termination date of the cause of the suspension.

8 – The limitation period for disciplinary proceedings referred to in (1) and (5) shall be interrupted with notice to the perpetrator:

- a) Of the initiation of disciplinary proceedings;
- b) Of the indictment.

SECTION II

Exercising of disciplinary action

Article 87

Exercising disciplinary action

1 – The following may legitimately report to the Association facts potentially constituting a disciplinary infraction:

a) Any person directly or indirectly affected by the facts reported;

b) Management;

c) The Public Prosecutor, pursuant to (3).

2 – The courts and authorities of any kind shall notify the Association of any facts, on the part of members of the Association, potentially constituting a disciplinary infraction.

3 – The Public Prosecutor and criminal police bodies shall remit to the Association a certification of the accusations, reports or complaints submitted against members of the Association that may entail facts potentially constituting a disciplinary infraction.

Article 88

Withdrawal of complaint

The withdrawal of the disciplinary complaint by the interested party shall terminate the disciplinary proceedings, unless the alleged infraction affects the reputation of the member of the Association in question and, in such case, the member expresses his/her intent to continue the proceedings, or the prestige of the Association or the profession, in any of its specialisations.

Article 89

Initiation of disciplinary proceedings;

1 – Any board of the Association, on its own motion or based on a complaint, accusation or report, submitted by a duly identified person, containing facts potentially constituting a disciplinary infraction of a member of the Association, shall immediately notify the facts to the competent board for the initiation of disciplinary proceedings.

2 – When the report is determined to be unfounded, the member of the Association in question shall be notified and provided with the certifications that he/she deems necessary to safeguard his/her lawful rights and interests.

Article 90

Procedural legitimacy

Persons with a direct, personal and lawful interest in relation to facts reported may request involvement in the proceedings from the Association, petitioning and alleging those things deemed convenient.

Article 81

Subsidiary law

Notwithstanding the provisions of these Bylaws, disciplinary proceedings shall be governed by disciplinary regulations, followed, by secondary application, by the procedural norms of the General Labour Law of Civil Servants passed by Law no. 35/2014 of 20 June, as amended by Law no. 82-B/2014 of 31 December.

SECTION III

Disciplinary penalties

Article 92

Application of disciplinary penalties

1 – Disciplinary penalties shall include the following:

- a) Warning;
- b) Mandatory supervised practice of up to 12 months;
- c) Recorded reprimand;
- d) Suspension of up to 24 months;
- e) Expulsion.

2 – The penalty referred to in (a) of the above paragraph shall apply to members who commit minor infractions not resulting in serious damages to third parties or to the Association.

3 – The penalty referred to in (1b) shall apply to members who commit disciplinary infractions resulting from a clear lack of training.

4 – The penalty referred to in (1c) shall apply to members who commit disciplinary infractions with gross negligence, but without significant consequences, or who repeatedly commit the infractions referred to in the above paragraphs.

5 – The penalty referred to in (1d) shall apply to members who commit disciplinary infractions that seriously affect the dignity and prestige of the profession or damage relevant rights or interests of third parties, or who knowingly fail to fulfil the obligation of paying dues for more than 12 months.

6 – The penalty referred to in (1e) shall apply to very serious infractions when, bearing in mind the nature of the profession, the disciplinary infraction has jeopardised the lives or physical integrity of people, or seriously harms the dignity or property of third parties or their equivalent, notwithstanding the right to rehabilitation, pursuant to disciplinary regulations.

7 – The application of a penalty more serious than recorded reprimand to a member holding a position on the Association's boards shall result in the immediate dismissal from this position, with no need for a decision by the meeting of representatives in this regard.

8 – In the case of professionals under a free service provision scheme in the national territory, the penalties referred to in (1d) and (1e) shall take the form of temporary or permanent prohibition from practising the profession in this territory, as applicable.

9 – Whenever the infraction results from the breach of a duty by omission, compliance with the applicable penalties shall not exempt the perpetrator from complying with this duty, if still possible.

Article 93

Classification

1 – The application of penalties should consider the perpetrator's professional and disciplinary background, the degree of culpability, the seriousness and consequences of the infraction and all other aggravating or attenuating circumstances.

2 – Attenuating circumstances are:

- a) The actual practising of the profession for more than five consecutive or non-consecutive years, with no disciplinary penalties and with exemplary conduct and diligence;
- b) The spontaneous remedying of damages caused;
- c) The spontaneous confession to the infraction or infractions;
- d) Provocation;
- e) Fulfilment of a duty, when it cannot solve the disciplinary responsibility of the individual in question.

3 – Aggravating circumstances are:

- a) The determined will, through the perpetrator's conduct, to produce results harmful to users, the prestige or dignity of the profession or the general interest, regardless of their actual occurrence;
- b) Premeditation;
- c) Collusion with other individuals to commit the infraction;
- d) Repeat offences;
- e) Accumulated infractions.

4 – Premeditation consists of the intent to commit the infraction at least 24 hours before its commitment.

5 – A repeat offence occurs when an infraction is committed within three years of the termination date of fulfilling an applicable penalty from a prior infraction, where identical or similar type of obligation was breached.

6 – Accumulation occurs when two or more infractions are committed at the same time, or when one is committed prior to punishing a previous one.

Article 94

Unity and accumulation of infractions

A given member may not be subject to more than one disciplinary penalty per punishable fact.

Article 95

Suspension of penalties

1 – The disciplinary penalties of warning, recorded reprimand and suspension may be suspended when, in view of the perpetrator's personality, life conditions, conduct before and after the infraction and the circumstances of the infraction, it can be concluded that the mere censure of behaviour and threat of a penalty adequately and sufficiently achieve the purposes of the punishment.

2 – The suspension shall be at least six months for the penalties of warning and recorded reprimand, and at least one year for the penalty of suspension, but never exceeding two and three years, respectively, from the start date of complying with the penalty.

3 – The suspension of the penalty shall end whenever, in relation to the punished member of the Association, a conviction is handed down under new disciplinary proceedings.

Article 96

Enforcement of penalties

1 – The management shall be responsible for enforcing decisions handed down under disciplinary proceedings, namely by carrying out the acts needed to actually suspend or cancel the enrolment of members subject to the penalties of suspension and expulsion, respectively.

2 – The application of the penalty of suspension or expulsion shall result in the temporary or definitive prohibition, respectively, of carrying out any professional act, together with the return of the professional licence to the Association's main office or regional delegation where the perpetrator has his/her professional domicile, as applicable.

Article 97

Entry into effect of disciplinary penalties

1 – Disciplinary penalties shall enter into effect on the day following the final decision.

2 – If the perpetrator’s enrolment is suspended for non-disciplinary reasons on the date of the final decision, the fulfilment of the disciplinary penalty of suspension shall begin on the day following that of lifting the suspension.

Article 98

Communication and publicity

1 – The application of the penalties referred to in article 92 (1b) through (1e) shall be notified by the management to the professional firm or association on whose behalf the perpetrator was providing services on the date of the facts’ occurrence, and to the competent authority of the other member state of the European Union or European Economic Area to control the activities of the perpetrator established in this same member state.

2 – The penalties of suspension or expulsion may only be applied when preceded by a public hearing, except in the absence of the perpetrator, pursuant to disciplinary regulations.

3 – The penalties referred to in article 92 (1d) and (1e) shall be publicised at the Association’s official website and at locations considered appropriate for the purposes of general prevention in the legal system.

4 – Except when justifiably decided otherwise by the jurisdictional council, for reasons involving the defence of the Association’s interests or the lawful rights and interests of third parties, the disciplinary penalties referred to in article 92 (1b) through (1d) shall always be made public.

Article 99

Limitation period of disciplinary penalties

Disciplinary penalties shall expire per the following time periods, calculated from the date on which the decision became incontestable:

- a) One month for the penalty of recorded reprimand;
- b) Three months for mandatory supervised practice, up to a maximum of 12 months;
- c) Six months for the penalty of suspension;

d) One year for the penalty of expulsion.

Article 100

Conviction in criminal proceedings

1 – Whenever a prohibition on practising the profession is imposed for a specific time in criminal proceedings, this shall be subtracted from the disciplinary penalty of suspension to be applied to the member of the Association for the same infraction.

2 – The conviction of a member of the Association in criminal proceedings shall be notified to the Association, for purposes of annotation in the respective record.

SECTION IV

Proceedings

Article 101

Mandatory nature

The application of a disciplinary penalty shall always be preceded by an investigation of the facts and disciplinary responsibility in separate proceedings, pursuant to these Bylaws and disciplinary regulations.

Article 102

Forms of proceedings

1 – Disciplinary action shall take the following forms:

a) Disciplinary proceedings;

b) Investigatory proceedings.

2 – Disciplinary proceedings shall always be brought when duly substantiated facts potentially constituting a disciplinary infraction are attributed to a given member of the Association.

3 – Investigatory proceedings shall commence when the existence of a disciplinary infraction or a respective perpetrator cannot be clearly determined, and prompt measures are needed to clarify or substantiate the facts in question.

4 – After identifying the perpetrator, or when the reported facts potentially constituting a disciplinary infraction have been minimally clarified or substantiated, the immediate conversion of the investigatory proceedings into disciplinary proceedings is proposed, by means of a succinctly justified opinion.

5 – When the reported facts are clearly unviable or unfounded, the report should be archived, in compliance with article 89 (2).

Article 103

Disciplinary proceedings

1 – Disciplinary proceedings shall be governed by disciplinary regulations.

2 – Disciplinary proceedings shall be comprised of the following phases:

a) Discovery proceedings;

b) Defence of the perpetrator;

c) Decision;

d) Enforcement.

3 – Regardless of the phase of disciplinary proceedings, the perpetrator shall be ensured all guarantees of defence, pursuant to the general terms of law.

Article 104

Secret nature of proceedings

1 – The proceedings shall be secret in nature until the bill of indictment or archiving.

2 – The rapporteur may authorise consultation of the proceedings by the perpetrator, the accuser or interested parties, when not inconvenient to the discovery proceedings, and under the condition of non-disclosure of their content.

3 – Perpetrators or interested parties, when members of the Association, failing to comply with the secret nature of the proceedings shall be subject to disciplinary responsibility.

SECTION V

Guarantees

Article 105

Jurisdictional control

The decision to apply a disciplinary penalty shall be subject to administrative jurisdiction, in accordance with respective legislation.

Article 106

Revision

1 – Final decisions handed down by the Association's boards with disciplinary jurisdiction shall be subject to review whenever:

a) A final judicial decision declares any aspects of proof or evidence that were decisive for the decision in question to be false;

b) A final judicial decision is considered a proven crime committed by one or more members of the board, which handed down the decision in question, and was related to the performance of their duties in the proceedings;

c) The facts providing the basis for the decision to convict were irreconcilable with those considered proven in another final decision, whose contestation resulted in serious doubts about the fairness of the conviction;

d) New evidence or facts have been discovered that, in and of themselves or combined with those assessed in the proceedings, raise serious doubts about the fairness of the decision to convict.

2 – The mere allegation of illegality, whether formal or substantial, of the disciplinary proceedings and decision shall not constitute grounds for review.

3 – Review shall be allowed even when the proceedings have terminated or the penalty has been fulfilled or has expired.

4 – The exercising of the right of review in this article shall be governed by the applicable provisions of disciplinary regulations.

Article 107

Professional rehabilitation

1 – In the event of the application of the penalty of expulsion, the member in question may be rehabilitated, upon request, and provided that all of the following requirements are met:

- a) More than 10 years have elapsed since the final decision that applied the penalty;
- b) The individual to be rehabilitated has demonstrated good conduct, as demonstrated by any legally permitted means of proof.

2 – Upon the decision to rehabilitate, the rehabilitated member shall recover his/her rights in full and shall be given due publicity, pursuant to article 98, with the necessary adaptations.

CHAPTER VII

Professional ethics

Article 108

General principles

Psychologists shall respect the following general principles in practising their profession:

- a) To act with professional autonomy and independence;
- b) To honour and dignify the profession;
- c) To use their abilities to serve the public interest;
- d) To strive to create a dynamic of social cooperation aimed at enhancing individual and collective well-being;
- e) To defend, and ensure the defence of, professional secrecy;
- f) To demand that employees respect confidentiality;
- g) To use scientific instruments suited to the demanding standards of practising the profession;
- h) To understand and comply with legal and regulatory precepts;
- i) To respect legal impediments and incompatibilities.

Article 109

General obligations

In their professional activities, psychologists shall:

- a) Refrain from endorsing documents or making statements that result in undue favouritism for themselves or others;
- b) Avoid the distorted interpretation, whether explicit or implicit, of the content of technical support documents for exercising the profession, for the purpose of misleading the good faith of others;
- c) Defend ethical principles of the profession, by refusing to cooperate or participate in any service or undertaking deemed harmful to these principles;
- d) Carry out their activities in areas of psychology for which they have received specific training;
- e) Refuse any interference in carrying out their activities that may jeopardise technical, scientific or ethical aspects of their professional practice, regardless of their functions, hierarchical dependencies or place of business;
- f) Refrain from using specific materials of the profession for which they have not received training, or which are known to be outdated or unsuited to the applicable context.

Article 110

Obligations to the Association

Psychologists, in practising their profession, shall:

- a) Respect these Bylaws and regulations of the Association;
- b) Comply with the decisions of the Association;
- c) Collaborate in the duties of the Association, namely by cooperating in disciplinary proceedings and reporting situations of illegal professional practice;
- d) Hold the positions for which they have been elected;
- e) Promptly pay dues payable to the Association, pursuant to these Bylaws;

f) Notify any change in professional domicile within 30 days.

Article 111

Reciprocal obligations between psychologists

Psychologists, in practising their profession, shall:

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

Article 112

Professional secrecy

Psychologists shall be subject to professional secrecy in all matters involving facts disclosed by customers while practising the profession.

Article 113

Advertising

1 – Psychologists' services shall be publicised accurately, limited to the disclosure of information on the types of work done and titles held, observing the discretion, rigour and reserve demanded by a profession in the area of health.

2 – Advertisements shall be limited to objective information on the psychologist's business, such as professional name, professional licence number, contact information, academic title and any specialisations recognised by the Association.

Article 114

Development of ethical rules

Ethical rules for psychologists shall be subject to development in a code of ethics to be approved by the meeting of representatives.

Article 115

Impediments

Psychologists may not:

- a) Carry out any professional activities simultaneously with the psychology business that create ambiguity with regard to the professional practice or complicate the boundaries of this practice;
- b) Simultaneously hold positions on the Association's statutory boards and management positions in public administration, institutions, university courses/cycles in psychology, or any other position with a clear conflict of interests;
- c) Simultaneously hold positions on the Association's statutory boards and positions of a trade union nature;
- d) Carry out other activities referred to in the code of ethics.

CHAPTER VIII

Single point of contact and information transparency

Article 116

Single point of contact

1 – All requests, communications and notices under this law between the Association and professionals, psychologist firms and other professional associations, except for those related to disciplinary proceedings, shall be done by electronic means through the single electronic point of contact referred to in articles 5 and 6 of Decree Law no. 92/2010 of 26 July, accessible via the Association's Internet website.

2 – When, for reasons of electronic platform downtime, the provisions of the above paragraph cannot be fulfilled, the information in question may be transmitted by delivery to the Association's services via registered post, facsimile or email.

3 – The submission of simple documents pursuant to the above paragraphs shall not require the sending of original, authentic, authenticated or certified documents, notwithstanding the provisions of article 7 (3a), (3c), (4) and (5) of Decree Law no. 92/2010 of 26 July.

4 – The provisions of article 5 (d) and (e) and article 7 (1) of Decree Law no. 92/2010 of 26 July shall also apply to the procedures referred to in this article.

Article 117

Information on the Internet

In addition to other information provided for by article 23 of Law no. 2/2013 of 10 January, and the information referred to in article 6 (3) of Decree Law no. 92/2010 of 26 July and article 19 (4) of Directive [2000/31/EC](#) of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, namely electronic commerce, in the Internal Market, the Association shall provide the following information to the general public through its Internet website:

- a) Scheme for accessing and practising the profession;
- b) Principles and rules of ethics and technical standards applicable to its members;
- c) Procedure for submitting claims or complaints by the recipients of services provided by professionals within the scope of their business;
- d) Job opportunities at the Association;
- e) Updated member registry, including:
 - i) Name, professional domicile and professional licence or card number;
 - ii) Designated title and professional specialisations;
 - iii) Situations of suspension or temporary prohibition from practising the profession, if applicable;
- f) Updated registry of professionals under the free provision of services in the national territory, considered enrolled pursuant to article 4 (2) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, including:
 - i) Name, professional domicile and, if it exists, the designated professional title of origin and respective specialisations;
 - ii) Identification of the professional public association in the member state of origin in which the professional is enrolled;
 - iii) Situations of suspension or temporary prohibition from practising the profession, if applicable;

iv) Information related to professional firms or other forms of professional association for which they provide services in the member state of origin, if they provide services here in this capacity.

Article 118

Administrative cooperation

The Association shall provide mutual assistance to, and request mutual assistance from, the administrative authorities of other member states of the European Union and European Economic Area and the European Commission, and shall take the necessary measures with them to cooperate effectively, namely through the Internal Market Information System, within the scope of procedures related to service providers already established in another member state, pursuant to chapter VI of Decree Law no. 92/2010 of 26 July, article 51 (2) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, and article 19 (2) and (3) of Directive [2000/31/EC](#) of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, namely electronic commerce.

ANNEX II

(referred to in article 6)

Republication of Law no. 57/2008 of 4 September

Article 1

Purpose

The Portuguese Psychologists Association is created and its Bylaws approved, published in an annex to this law and comprising an integral part of hereto.

Article 2

Applicable professions

(Revoked).

Article 3

Responsibilities

(Revoked).

Article 4

Administrative supervision

The powers of administrative supervision over the Portuguese Psychologists Association, pursuant to article 45 of Law no. 2/2013 of 10 January and the respective Bylaws, shall be exercised by the government member in charge of the area of health.

Article 5

Enrolment in the Portuguese Psychologists Association

(Revoked).

Article 6

Entry into force

This law shall enter into force 30 days after its publication.

BYLAWS OF THE PORTUGUESE PSYCHOLOGISTS ASSOCIATION

CHAPTER I

General provisions

SECTION I

Nature, purposes, responsibilities and applicable professions

Article 1

Legal status

1 – The Portuguese Psychologists Association, hereinafter abbreviated “Association”, is the professional public association representing those who practice the profession of psychologist pursuant to these Bylaws and other applicable legal provisions.

2 – The Association is a public legal person governed by the law of its creation, by Law no. 2/2013 of 10 January and by the provisions of these Bylaws.

Article 2

Administrative autonomy of ownership and finance

1 – The Association shall enjoy administrative autonomy and, in the exercising of its public powers, shall execute on a definitive basis, notwithstanding supervisory approval as provided for by law, the administrative acts needed to perform its duties and approve regulations provided for by law and these Bylaws.

2 – The Association shall have autonomous ownership and finance, together with budgetary autonomy.

Article 3

Purposes

The Association's purposes are to control access to, and the practising of, the profession of psychologist; create respective technical and ethical standards pursuant to the law; and exercise disciplinary power over its members under an autonomous disciplinary scheme.

Article 4

Responsibilities

The Association shall have the following responsibilities:

- a) Defending the general rights of users;
- b) Representing and defending the general interests of the profession;
- c) Regulating access to and the practising of the profession;
- d) Granting, on an exclusive basis, professional titles and titles of professional specialisation;
- e) Giving awards and honorary titles pursuant to these Bylaws;
- f) Creating and updating a registry of its members;
- g) Exercising disciplinary power;
- h) Providing services to its members on professional practice, namely with regard to vocational training and information;

- i) Cooperating with other public administration entities to pursue public interests related to the profession;
- j) Participating in drawing up legislation involving access to, and the practising of, the profession of psychologist;
- k) Participating in official processes of accrediting and evaluating courses providing access to the profession;
- l) Recognising professional qualifications obtained outside of Portugal, pursuant to the law, under European Union law or international convention;
- m) Any other responsibilities attributed to it by law.

Article 5

Applicable professions

1 – The Association shall encompass those psychology professionals who, in accordance with these Bylaws and applicable legal provisions, practice the profession of psychologist.

2 – Notwithstanding the provisions of article 63 (1), all those practising the profession of psychologist, whether on an independent or employed basis, regardless of the public, private, cooperative or social sector in which they do so, shall be obliged to enrol.

3 – The practising of the profession on an employed basis shall not affect technical autonomy, nor waive the fulfilment of ethical obligations.

SECTION II

Scope, main office, delegations and insignias

Article 6

Scope and main office

1 – The Association shall be national in scope.

2 – The Association's main office shall be in Lisbon.

3 – The Association shall have regional delegations in the regions of northern Portugal, central Portugal, southern Portugal and the Autonomous Regions of the Azores and Madeira.

Article 7

Insignias

The Association shall have the right to use its own insignia and seal, per templates to be approved by the meeting of representatives, by proposal of the management.

CHAPTER II

Organisation of the Association

SECTION I

General provisions

Article 8

Territory and operation

1 – The Association shall have national and regional bodies, pursuant to these Bylaws.

2 – The Association shall function based on principles of representative democracy and the separation of powers.

Article 9

Boards

1 – The Association shall have the following national boards:

- a) Meeting of representatives;
- b) Management;
- c) President;
- d) Jurisdictional council;
- e) Audit board.

2 – The Association shall have the following regional boards:

- a) Regional meeting;
- b) Regional management.

Article 10

Performance of duties

1 – Notwithstanding the provisions of the following paragraph, the performance of duties at the Association's boards shall not be remunerated.

2 – By decision of the meeting of representatives, the performance of permanent executive duties at the Association's boards may be remunerated, pursuant to the provisions of regulations.

Article 11

Eligibility for practice by members of the Association's boards

1 – Members of the Association's executive boards who are employed workers shall be entitled, for the performance of duties in their elected positions, to the following:

- a) Unpaid leave, with a maximum duration of the respective term of office, to be given pursuant to employment legislation;
- b) Hourly credit corresponding to 24 working days per year, usable as half-day periods, counting as actual service for all legal purposes.

2 – Members of the Association's non-executive boards shall be entitled to 24 justified absences, counting as actual service for all legal purposes, except with regard to remuneration or other consideration.

3 – The Association shall notify, by appropriate secure means (including email), the employers of corporate board members of the dates and number of days needed to perform their respective duties.

4 – The notification referred to in the above paragraph shall be done at least five days in advance or, in the event of extraordinary meetings or activities of the Association's boards, immediately at the time of their summoning.

SECTION II

Elections and electoral process

Article 12

Electoral bureau

The presiding board of the meeting of representatives shall serve as the electoral bureau in board elections.

Article 13

Applications

1 – Board candidate lists shall be submitted to the chairperson of the presiding board of the meeting of representatives.

2 – Each list shall be signed by at least 100 full members, containing the names of all board candidates and their respective substitutes per each board, accompanied by a corresponding statement of acceptance.

3 – Applications must be submitted at least 60 days in advance of the designated election date.

4 – If the term of office ends prior to its scheduled expiry date, applications must be submitted at least 30 days in advance of the election.

Article 14

Electoral roll

1 – Electoral rolls shall be posted at the Association's main national office at least 45 days before the date of the electoral assembly.

2 – Enrolment irregularities or electoral roll omissions may be reported by any voter to the electoral bureau up to 15 days following the date of posting referred to in the above paragraph, with a decision to be given by the electoral bureau within 48 hours.

Article 15

Electoral committee

1 – The electoral committee shall be comprised of the chairperson of the presiding board of the meeting of representatives and by two representatives from each list of candidates, and shall begin functioning 24 hours after the submission of applications.

2 – The representatives of each list of candidates must be specified at the time of submitting the respective applications.

3 – The electoral committee shall be responsible for:

a) Overseeing the electoral process and settling any issues that may arise within its scope;

b) Drawing up reports on any irregularities and submitting them to the electoral bureau;

c) Distributing support resources provided by the Association's management among the different lists of candidates.

Article 16

Correction of irregularities

1 – The electoral bureau shall check applications for irregularities within five days following the list submission deadline.

2 – With a view to correcting any irregularities found, documentation shall be returned to the first signatory on the list, who must remedy it within three working days.

3 – Any applications not remedied within the deadline referred to in the above paragraph shall be considered automatically rejected.

Article 17

Ballots

1 – Ballots shall be issued by the Association, with prior approval from the electoral bureau.

2 – Ballots and candidate lists shall be sent to all members of the electoral bureau at least 10 working days before the scheduled election date, and will be available at the voting location.

Article 18

Voter identity

Voters shall be identified via their professional licence or, in the lack thereof, by means of a civil identification document.

Article 19

Voting

- 1 – Elections shall be done by means of direct, secret and periodic universal suffrage.
- 2 – Only full members in the full enjoyment of their rights shall be entitled to vote.
- 3 – In the case of postal voting, ballots shall be enclosed in an envelope accompanied by a letter signed by the voter and a photocopy of his/her special licence.
- 4 – Proxy voting shall not be permitted.
- 5 – Voting shall be done separately for each board.

Article 20

Election date

- 1 – The elections shall be held during the last quarter of the year immediately preceding the subsequent four-year period.
- 2 – The election date shall be the same for all boards submitted to suffrage.
- 3 – The chairperson of the presiding board of the meeting of representatives shall be responsible for scheduling the election date.
- 4 – Elections shall be summoned at least 90 days before the election date.

Article 21

Terms of office

- 1 – Members of elected boards shall have a four-year term of office.
- 2 – The election of board members to a third consecutive term of office in the same position shall not be permitted.

3 – Whenever interim elections are needed for any of the Association’s boards, the respective term of office shall match the duration of the other boards’ term of office.

4 – Notwithstanding the provisions of article 32 with regard to the president, members may not simultaneously hold more than one position on statutory boards.

Article 22

Polling stations

1 – For the purposes of holding elections, a polling station shall be established at the main national office and at each of the regional delegations, notwithstanding the establishment of other stations, in this case, to ensure easy access to voting stations for all members.

2 – The establishment of other stations beyond the main national office and each of the regional delegations shall depend on a decision by the management, having heard the electoral bureau.

Article 23

Complaints and appeals

1 – Voters may submit complaints based on election irregularities to the electoral bureau within three days following the election’s closing.

2 – The electoral bureau shall access the complaint within 48 hours, with a decision notified to the complainant in writing and posted at the Association’s main office.

3 – The electoral bureau’s decision shall be subject to appeal to the jurisdictional council within eight working days of the complainants’ receipt of the electoral bureau’s decision.

4 – The jurisdictional council shall be summoned by its president, for this purpose, within the following eight days.

Article 24

Election financing

The Association shall contribute to election expenses in an amount to be determined by the management.

Article 25

Inauguration

All elected boards shall be inaugurated within one month of the election date.

Article 26

Resignation and suspension

1 – Members of the Association’s boards shall be entitled to resign from the term of office for which they were elected.

2 – Any member of the Association’s boards may request, from the chairperson of the respective board, the temporary suspension of his/her duties, on duly justified grounds, for a maximum of six months.

3 – Resignations and suspensions to the term of office shall be notified to the chairperson of the respective boards and to the chairperson of the presiding board of the meeting of representatives.

4 – The resignation of the president shall be exempt from the provisions of (2) and (3), and must be submitted only to the chairperson of the presiding board of the meeting of representatives.

5 – The resignation or dismissal, pursuant to article 92 (7), of more than half of the members elected to a given board, after all replacements have been made by the respective elected substitutes, shall require the holding of elections for the board in question.

SECTION III

Boards

Article 27

Meeting of representatives

The meeting of representatives shall be comprised of 50 members.

Article 28

Powers of the meeting of representatives

The meeting of representatives shall be responsible for:

- a) Electing and dismissing its presiding board, pursuant to these Bylaws;
- b) Approving the budget and activity plan;
- c) Approving the annual report and activity report to be submitted to the Assembly of the Republic and to the Government;
- d) Approving plans to amend these Bylaws;
- e) Approving proposals to create new specialties;
- f) Approving proposed regulations submitted by the management;
- g) Approving the amounts of dues and fees, by proposal of the management, together with the respective collection scheme;
- h) Approving the signing of agreements with other counterpart associations, by proposal of the management;
- i) Approving its statutes;
- j) Deciding on any issues not allocated to other boards.

Article 29

Operation

1 – The meeting of representatives shall hold ordinary meetings:

- a) For the election of the presiding board of the meeting of representatives;
- b) To approve the budget, activity plan and annual report and accounts.

2 – The meeting of representatives shall hold extraordinary meetings whenever the circumstances so dictate and when summoned by its chairperson, at his/her initiative or by request of the management, any of the regional managements or at least one third of its members.

3 – If, at the scheduled starting time of the meeting of representatives, at least one half of its full members are not in attendance, the meeting shall begin one half hour later, with any number of members present.

4 – The meeting of representatives may only make effective decisions with the attendance of at least one third of its full members.

5 – The meeting of representatives for the purpose of discussing and voting on the annual report and accounts shall be held before the end of March of the year following that of the report.

6 – The meeting of representatives for the purpose of discussing and voting on the activity report to be submitted to the Assembly of the Republic and to the government shall be held before 20 March of the year following that of the report.

Article 30

Meeting notice

1 – The meeting of representatives shall be summoned by its president by means of postal or electronic notice to each of its full members, at least 15 days in advance of the scheduled meeting date.

2 – The meeting notice shall include the meeting agenda, time and location.

Article 31

Presiding board of the meeting of representatives

The presiding board of the meeting of representatives shall be comprised of one chairperson and two secretaries.

Article 32

Management

The management shall be comprised of one chairperson (the president), two vice-chairmen and an even number of at least six members.

Article 33

Powers

The management shall be responsible for:

- a) Deciding on the acceptance of registrations or ordering their cancellation, by own request or by decision of the jurisdictional council;
- b) Drawing up a registry of all members and keeping it up-to-date;
- c) Enforcing the decisions of the meeting of representatives;
- d) Drawing up regulations, and proposing their approval to the meeting of representatives;
- e) Submitting proposals to create new specialties to the meeting of representatives;
- f) Managing the Association's activities;
- g) Issuing, either directly or through committees established for this purpose, opinions and information to public and private entities, within the scope of the Association's responsibilities;
- h) Collecting revenues and paying expenses laid out in the budget;
- i) Drawing up, and submitting to the meeting of representatives, the annual activity plan and report, accounts and budget;
- j) Hiring the statutory auditor to be included on the audit board, by proposal of this board's members;
- k) Approving the respective statutes.

Article 34

Operation

1 – The management shall hold ordinary meetings once per month, together with extraordinary meetings whenever summoned by its chairperson.

2 – The management may only make valid decisions when more than half of its members are in attendance.

3 – Decisions shall be made by a simple majority of members present, with the chairperson having the casting vote.

Article 35

President

The president represents the Association as the chairperson of the management.

Article 36

Powers

The president shall be responsible for:

- a) Representing the Association in and out of court, namely before sovereign bodies and community and international organisations;
- b) Enforcing and ensuring the enforcement of decisions of the management and other national bodies;
- c) Exercising the powers of management under urgent circumstances, or when so delegated;
- d) Ensuring the normal functioning of the Association's services, in compliance with the law, these Bylaws and respective regulations;
- e) Appointing the vice-chairperson to replace him/her in times of absence or impediment.

Article 37

Eligibility

Full members must have at least 10 years of professional practice to apply for the position of president.

Article 38

Means of binding the Association

- 1 – The Association shall be legally bound by the signatures of the president and one other active member of management.
- 2 – The management may appoint representatives to carry out given acts, determining the scope and duration of the powers delegated for this purpose.

Article 39

Joint and several liability

1 – Board members shall have joint and several liability for acts carried out during the term of office granted to them.

2 – The provisions of the above paragraph shall not apply to members not in attendance at the meeting in which the decision was made or, when in attendance, who voted expressly against the decision in question, as stated in the respective meeting minutes.

Article 40

Jurisdictional council

1 – The jurisdictional council shall be comprised of five members, including one chairperson.

2 – The jurisdictional council shall be assisted by a legal consultant.

Article 41

Powers

The jurisdictional council shall be responsible for:

- a) Ensuring compliance with the law, these Bylaws and internal regulations, both on the part of the Association's boards and all of their members;
- b) Giving its opinion on proposed amendments to these Bylaws and to regulations;
- c) Prepare and judge all disciplinary proceedings against members;
- d) Rule on appeals against the validity of decisions of other boards of the Association, at the request of interested parties;
- e) Approving the respective statutes.

Article 42

Eligibility

Full members must have at least 10 years of professional practice to apply for the position of chairperson of the jurisdictional council.

Article 43

Operation

1 – The jurisdictional council shall meet at the Association’s main office, when summoned by its chairperson.

2 – Decisions shall be made by a majority, with the chairperson having the casting vote, not subject to abstentions.

Article 44

Audit board

1 – The audit board shall be comprised of one chairperson and two members.

2 – The audit board shall also include a statutory auditor.

Article 45

Powers

The audit board shall be responsible for:

- a) Examining and issuing an opinion on the annual accounts to be submitted by management to the meeting of representatives;
- b) Monitoring the Association’s financial and asset management;
- c) Submitting suggestions deemed of interest to the management;
- d) Overseeing the management’s activities;
- e) Preparing the minutes for its meetings.

Article 46

Regional boards

1 – The regional meeting shall be comprised of all members enrolled in the Association whose professional domicile is located in the geographic area included in the regional delegation.

2 – The regional management shall be comprised of one chairperson and an even number of at least two members.

Article 47

Powers and operation

1 – The regional assembly shall be responsible for:

- a) Electing its presiding board;
- b) Approving the budget, activity plan and accounts of the regional management;
- c) Deciding on issues of a regional scope, on its own initiative or at the request of the regional management;
- d) Approving its statutes.

2 – The regional management shall be responsible for:

- a) Representing the Association in its respective geographic area, namely before public entities with jurisdiction there, whenever mandated by the management for this purpose;
- b) Executing decisions of the meeting of representatives and regional meeting, and the directives of the management;
- c) Exercising powers delegated by the management;
- d) Executing the budget of the regional delegation;
- e) Managing regional services;
- f) Preparing the annual report and accounts approved by the regional meeting, and submitting it to management;
- g) Approving its statutes.

SECTION IV

Colleges

Article 48

Specialty colleges

1 – The Association shall have specialty colleges in clinical psychology and health, educational psychology and occupational, social and organisational psychology.

2 – Each specialty college shall be comprised of all members having the corresponding specialisation.

3 – All specialisations shall have a specialty college.

Article 49

Specialty board

Each professional specialty college shall be governed by a specialty board comprised of one chairperson, one secretary and three members, elected for four years by the members of the respective specialisation, in accordance with internal regulations approved by management.

Article 50

Specialty title

1 – The Association shall award the following specialty titles:

- a) Clinical and health psychology;
- b) Educational psychology;
- c) Occupational, social and organisational psychology.

2 – The awarding of specialty titles shall be governed by regulations drawn up by management and approved by the meeting of representatives.

3 – The regulations referred to in the above paragraph shall only be effective after their approval by the government member in charge of the area of health.

4 – The creation of new specialisations shall be done by law, pursuant to the provisions of these Bylaws.

CHAPTER III

External responsibility of the Association

Article 51

Annual report and information obligations

1 – The Association shall prepare an annual report on the performance of its duties, to be submitted to the Assembly of the Republic and to the government before 31 March of each year.

2 – The Association shall provide the Assembly of the Republic and the government with all information requested regarding the performance of its duties.

3 – The president shall respond to requests from competent parliamentary committees to provide necessary information and clarifications.

Article 52

Appeals

1 – The acts carried out by the Association's regional boards shall be subject to hierarchical appeal, when lodged within eight working days.

2 – Any acts or omissions of the Association's boards in exercising public powers shall be subject to administrative litigation, pursuant to laws on administrative procedure.

3 – Notwithstanding the provisions of the above paragraph, the administrative appeals referred to therein may not be lodged without first employing all of the internal resources provided for in these Bylaws, namely appeals to the jurisdictional council.

CHAPTER IV

Members and other psychology service providers

SECTION I

Enrolment

Article 53

Mandatory nature

1 – The awarding and use of a professional title, and the practising of the profession of psychologist, in any business sector, whether individually or at a professional firm, shall depend on enrolment with the Association as a full member, notwithstanding the provisions of (5) of the following article.

2 – For the purposes of the above paragraph, “any business sector” shall mean the public, private, cooperative, social or any other sector, regardless of whether practising individually or on employed basis.

3 – The provision of psychology services by companies employing or subcontracting psychologists shall not depend on enrolment with the Association, notwithstanding the professional firms scheme and the provisions of article 63 (1).

Article 54

Enrolment

1 – The following must enrol with the Association as members to practice the profession of psychologist:

a) Holders of a bachelor’s degree in psychology granted following a course of study, including a curricular traineeship, done within the academic organisational framework preceding the academic organisational scheme introduced by Decree Law no. 74/2006 of 24 March, as amended by Decree Law no. 107/2008 of 25 June, Decree Law no. 230/2009 of 14 September and Decree Law no. 115/2013 of 7 August;

b) Holders of a master’s degree in psychology granted following a course of study under a master’s degree organised pursuant to article 14 (7) of the Framework Law of the Education System passed by Law no. 46/86 of 14 October, including a curricular traineeship;

c) Holders of bachelor’s and master’s degrees in psychology granted following courses of study for a bachelor’s and master’s degree in psychology, including a curricular traineeship, done within the academic organisational framework passed by Decree Law no. 74/2006 of 24 March, as amended by Decree Law no. 107/2008 of 25 June, Decree Law no. 230/2009 of 14 September and Decree Law no. 115/2013 of 7 August;

d) Holders of a higher foreign academic degree in the field of psychology, including a curricular traineeship, which has been granted equivalency to one of the degrees referred to in the above subparagraphs;

e) National professionals from a member state of the European Union or European Economic Area whose qualifications have been obtained outside of Portugal, pursuant to article 62.

2 – The enrolment of nationals from third states whose qualifications have been obtained outside of Portugal, and who are subject to the provisions of (d) of the above paragraph, shall also depend on a guarantee of reciprocal treatment, pursuant to an international convention, including the convention signed between the Association and the comparable authority from the interested party's country of origin.

3 – Enrolment in the Association for the purpose of practising the profession may be denied:

- a) Due to a lack of academic training pursuant to (1a through d);
- b) When the interested party has received the disciplinary punishment of expulsion, and 10 years have not elapsed since the handing down of the final ruling.

4 – The following may also enrol with the Association as members:

- a) Professional psychologist firms, including the affiliates of psychology associations established under the law of another State, pursuant to article 71;
- b) Permanent offices in the Portuguese territory of psychology associations established under the law of another State, wishing to be members of the Association, pursuant to article 72.

5 – The provisions of article 63 (1) shall apply to the occasional and sporadic practising of the profession of psychologist in the Portuguese territory, under a free provision of service scheme, by national professionals from a member state of the European Union or European Economic Area whose professional qualifications have been obtained outside of Portugal.

Article 55

Professional traineeships

1 – To become a full member of the Association, professionals whose training has been obtained in Portugal must complete a mandatory professional traineeship sponsored and organised by the Association in accordance with a traineeship plan submitted to and monitored by a traineeship supervisor.

2 – In addition to the provisions of these Bylaws, professional traineeships shall be governed by internal regulations created by management and approved by the meeting of

representatives, which shall only be effective after their approval by the government member in charge of the area of health.

3 – Professional traineeships shall have a duration of 12 months from the date of enrolment.

4 – Notwithstanding the provisions of the above paragraph, traineeships may be extended on an exceptional basis, by trainee request, pursuant to the traineeship regulations, up to a maximum of 18 months.

5 – Trainees shall not be considered enrolled until all documents required by laws and regulations, including the traineeship project, have been assessed by the Association.

6 – The Association's assessment pursuant to the above paragraph shall occur within 30 days of the submission date of all documents by the traineeship applicant.

7 – The purpose of the traineeship is for the trainee to apply theoretical knowledge from his/her academic training in a real work context, develop specific problem-solving abilities, and acquire essential skills and work methods for the competent and responsible practising of the profession.

8 – Enrolment as a trainee member may occur at any time.

9 – National professionals from a member state of the European Union or European Economic Area whose qualifications have been obtained outside of Portugal wanting to do a traineeship in the Portuguese territory may enrol as a trainee member of the Association.

10 – Professional traineeships as a compensation measure shall be governed by Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

11 – During the professional traineeship, trainees shall benefit from personal accident insurance and professional insurance, to be purchased by the trainee or host entity.

Article 56

Rights and obligations of trainee members

1 – Trainee members shall have the following obligations, both in and outside of the Portuguese territory:

- a) To respect the principles laid out in these Bylaws, the code of ethics and other regulations approved by the Association's boards;
- b) To respect the rules and conditions in effect at the host entity;
- c) To be guided by a professional who is a full member of the Association, in full enjoyment of the rights applicable to this title, with at least five years of professional experience;
- d) To be respectful and upstanding to the professional traineeship supervisor and to the host entity;
- e) To participate in defining the parameters of traineeship's functioning and orientation, and to comply with the terms of the professional traineeship project;
- f) To keep a record of hours, to be confirmed by the traineeship supervisor;
- g) To collaborate with diligence, commitment and competence in all activities, work and training done under the professional traineeship;
- h) To draw up and submit a traineeship report;
- i) To pay mandatory dues or fees in a timely manner.

2 – The trainee shall have the following rights:

- a) To be backed by the Association in defending his/her professional rights and interests;
- b) To access all institutional means of communication available to members;
- c) To access all technical and scientific resources available to the Association;
- d) To access all benefits under agreements between the Association and any institutions;
- e) To receive an average of one hour of orientation per week;
- f) To participate in training courses for trainees organised by the Association;
- g) To enrol with the Association as a full member after completing the professional traineeship, pursuant to the traineeship regulations.

Article 57

Rights and obligations of the traineeship supervisor

1 – The professional traineeship supervisor shall be responsible for managing and overseeing the trainee's activities.

2 – Any full member with at least five years of professional experience may supervise a professional traineeship.

3 – Professional traineeship supervisors shall be subject to the following specific duties:

- a) Ensuring the fulfilment of the professional traineeship project;
- b) Ensuring the professional and ethical rigour of the training granted to the trainee as well as the standards imposed on him/her;
- c) Providing regular training to the trainee;
- d) Assessing and ratifying the trainee time record, pursuant to the traineeship regulations;
- e) Giving an opinion on requests to extend or suspend the traineeship period submitted by the trainee psychologist;
- f) Assessing the trainee's final report, accompanied by a justified opinion with a decision on the trainee's fitness or unfitness to practice his/her professional duties, and sending it to the management;
- g) Cooperating with the Association in the trainee psychologist's final evaluation;
- h) Cooperating with the competent authority of another state whenever the professional intends to enter the profession there.

4 – Traineeship supervisors shall specifically have the right to:

- a) Receive, on the part of the Association, professional training needed for the duties of professional traineeship supervisor;
- b) Be recognised by the Association, in terms of professional experience, for performing the duties of professional traineeship supervisor.

5 – Supervisors may not supervise more than five professional traineeships in a given year.

Article 58

Suspension of traineeship

1 – The trainee may, for reasonable and duly justified reasons, request suspension of his/her traineeship, immediately providing the expected duration of the suspension.

2 – The suspension may not exceed six consecutive or non-consecutive months.

3 – The six-month period referred to in the above paragraph may be extended, if the trainee so requests and demonstrates the associated need, namely due to illness, pregnancy, maternity and paternity.

Article 59

Completion of professional traineeship

1 – Upon completing the duration of the professional traineeship, the trainee shall submit a final traineeship report describing the activities done over its course.

2 – The final traineeship report must be accompanied by the opinion of the traineeship supervisor.

3 – The professional traineeship's completion date shall be the date on which a final grade is given for the trainee's performance, which shall be notified to the interested party within 15 working days.

4 – If the traineeship report is not submitted, or if the trainee's overall grade is "not approved", his/her enrolment as a trainee shall be terminated.

5 – The time elapsed between the acceptance of the trainee's enrolment and the notification of the final grade referred to in (3) may not exceed 18 months.

Article 60

Professional licence

1 – At the time of admission to professional enrolment, a professional licence shall be issued as a full member or trainee member, as applicable, signed by the president.

2 – The professional license shall follow a model to be approved by the meeting of representatives.

Article 61

Suspension and cancellation

1 –The following members shall be suspended from the Association:

- a) Members subject to a disciplinary suspension measure;
- b) Members requesting suspension on their own initiative;
- c) Members in a situation of incompatibility for practising the profession.

2 – Enrolment in the Association shall be cancelled for the following members:

- a) Members subject to a disciplinary expulsion measure;
- b) Members no longer practising the profession voluntarily, and stating their intent to cancel to the management.

3 – Enrolment in the Association shall be immediately terminated in the event of a penalty resulting in prohibition from practising the profession.

SECTION II

Professionals from the European Union and European Economic Area

Article 62

Right of establishment

1 – The recognition of professional qualifications of nationals from a member state of the European Union or European Economic Area obtained outside of Portugal, for the purposes of enrolment as a member of the Association, shall be governed by Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, notwithstanding the special conditions of reciprocity, if the qualifications in question were obtained outside of the European Union or European Economic Area.

2 – A professional wishing to enrol with the Association pursuant to the above paragraph and provide services, in a subordinate or autonomous manner or in the capacity of partner,

manager or director in the member state of origin, within the scope of a professional association, shall, pursuant to article 37 (4) of Law no. 2/2013 of 10 January, identify the organisation in question in the request submitted pursuant to article 47 of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

3 – If the fact to be notified pursuant to the above paragraph occurs after the submission of the request for the recognition of qualifications, the association in question must be identified to the Association within 60 days.

Article 63

Free provision of services

1 – Professionals legally established in another member state of the European Union or European Economic Area who carry out activities comparable to the professional activity of psychologist regulated by these Bylaws may perform them in the Portuguese territory, in an occasional and sporadic manner, under a free service provision scheme pursuant to Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

2 – The professionals referred to in the above paragraph may use the professional title of psychologist, and shall be equivalent to psychologists for all legal purposes, except when resulting otherwise from legal provisions in question.

3 – A professional providing services in a subordinate or autonomous manner or in the capacity of partner, manager or director in the member state of origin, within the scope of a professional association, wishing to practice his/her profession in the Portuguese territory in this capacity under a free service provision scheme, shall identify, to the Association, the association on whose behalf he/she provides services, in the statement referred to in article 5 of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May.

Article 64

E-commerce

Professionals legally established in another member state of the European Union or European Economic Area who carry out activities comparable to the professional activity

of psychologist regulated by these Bylaws may perform them, by means of e-commerce, for the Portuguese territory, in compliance with the requirements applicable to the member state of origin, namely the ethical standards in force there, together with the permanent provision of information pursuant to article 10 of Decree Law no. 7/2004 of 7 January, as amended by Decree Law no. 62/2009 of 10 March and Law no. 46/2012 of 29 August.

SECTION III

Categories of members

Article 65

Categories of members of the Association

The Association shall include full members, trainee members, corresponding members, honorary members and meritorious members.

Article 66

Full members

The following shall be considered full members:

- a) Professionals in psychology who meet the enrolment requirements of these Bylaws;
- b) Professional psychologist firms and permanent offices of the psychology associations referred to in article 54 (4), enrolled pursuant to these Bylaws.

Article 67

Trainee members

Professionals whose training, as referred to in article 54, has been obtained outside of Portugal and who have not completed a professional internship, together with the professionals referred to in article 55 (9), shall be considered trainee members.

Article 68

Corresponding members

1 – The following shall be considered corresponding members:

- a) Professionals who carry out their activities exclusively abroad;
- b) Members of comparable counterpart associations providing equal treatment to members of the Association.

2 – Corresponding members shall enjoy the rights and shall be subject to the duties expressly applicable to them pursuant to these Bylaws.

Article 69

Honorary members

1 – Natural or legal persons who, carrying out or having completed activities of recognised public interest contributing towards the dignity and prestige of the profession of psychologist, are considered deserving of such a distinction, shall be admitted as honorary members.

2 – The capacity of honorary member shall be granted by proposal of the management and by approval of the meeting of representatives.

3 – Honorary members shall enjoy the rights and shall be subject to the duties expressly applicable to them pursuant to these Bylaws.

Article 70

Meritorious members

1 – Natural or legal persons who, having made a monetary or asset contribution on behalf of the Association, are considered deserving of such a distinction, shall be admitted as meritorious members.

2 – The capacity of meritorious member shall be granted by proposal of the management and by approval of the meeting of representatives.

3 – Meritorious members shall enjoy the rights and shall be subject to the duties expressly applicable to them pursuant to these Bylaws.

Article 71

Professional firms

1 – Psychologists established in the Portuguese territory may practice the profession in groups, provided that they are established or admitted as partners in professional psychologist firms.

2 – The following may also be partners of professional psychologist firms:

a) Professional psychologist firms previously established and enrolled as members of the Association;

b) Professional associations comparable to psychologists, established in another member state of the European Union or European Economic Area, whose capital and voting rights fall primarily on the professionals in question.

3 – The capital requirement referred to in b) of the above paragraph shall not apply if the organisation has no share capital.

4 – The judgement of comparability referred to in (2b) shall be governed:

a) For nationals of a member state of the European Union or European Economic Area, by article 1 (4) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May;

b) For nationals of third countries whose qualifications were obtained outside of Portugal, by the international scheme of reciprocity in force.

5 – Psychologist firms shall enjoy the rights and shall be subject to the duties applicable to professional members of the Association as compatible to their nature, namely the principles and rules of ethics contained in these Bylaws.

6 – Professional firms shall not be given eligibility to vote.

7 – Executive board members of professional psychologist firms, regardless of their capacity as members of the Association, shall comply with the principles and rules of ethics, technical and scientific autonomy and guarantees granted to psychologists by the law and by these Bylaws.

8 – Psychologist firms may carry out, on a secondary basis, any activities not incompatible with the profession of psychology, in relation to which there are no impediments pursuant to these Bylaws; such activities shall not be subject to the Association's control.

9 – The establishment and functioning of professional firms shall be governed by a separate law.

Article 72

Professional associations of other member states

1 – Professional associations comparable to psychologists, established in another member state of the European Union or European Economic Area, whose capital and voting rights fall primarily on the professionals in question and/or on other associations whose capital and voting rights fall primarily on these professionals, may enrol their permanent offices in Portugal, established pursuant to commercial law, as members of the Association, and as such considered comparable to psychologist firms for the purposes of this law.

2 – The capital requirements referred to in the above paragraph shall not apply if the association has no share capital, in which case the requirement of allocating the majority of voting rights to the professionals referred to therein shall apply in lieu of these requirements.

3 – The judgement of comparability referred to in (1) shall be governed:

a) For nationals of a member state of the European Union or European Economic Area, by article 1 (4) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May;

b) For nationals of third countries whose qualifications were obtained outside of Portugal, by the international scheme of reciprocity in force.

4 – The legal scheme for enrolling professional associations of other member states shall be determined under a law governing the establishment and functioning of professional firms.

5 – Professional associations of other member states shall not be given eligibility to vote.

Article 73

Other service providers

Legal persons providing psychology services and not established in the form of a professional firm shall not be subject to enrolment in the Association, notwithstanding

the mandatory enrolment of the professionals performing the respective activities there, pursuant to these Bylaws.

Article 74

Obligations of psychology service providers

1 – All psychologists and professional psychologist or equivalent firms shall be subject to the requirements of article 19 (1) and (2) and articles 20 and 22 of Decree Law no. 92/2010 of 26 July, as well as, with regard to services provided by electronic means, the provisions of article 10 of Decree Law no. 7/2004 of 7 January, as amended by Decree Law no. 62/2009 of 10 March.

2 – The provisions of the above paragraph shall not apply to services and bodies directly or indirectly administered by the state, autonomous regions or local municipalities, nor to other public non-corporate legal persons.

SECTION IV

Member rights and obligations

Article 75

Rights of full members

1 – Full members shall have the following rights:

- a) Practising the profession of psychologist;
- b) To be backed by the Association in defending their professional rights and interests;
- c) To be notified of all studies, provisions and opinions related to practising the profession;
- d) To benefit from publishing activities and use the services offered by the Association;
- e) To vote for and be elected to the Association's boards, except for the incapacities referred to in these Bylaws;
- f) To participate in activities and perform any duties within the scope of the Association, pursuant to these Bylaws;

g) To participate in and benefit from the Association's social, cultural, recreational and scientific activities.

2 – Trainee members shall enjoy the rights not prohibited to them and not incompatible with their status.

3 –The failure to pay contributions for more than six months, following prior warning, shall result in prohibition from participating in the institutional life of the Association, and from enjoying its services, so long as the situation persists.

Article 76

Obligations of full members

Full members shall have the following obligations:

- a) Participating in the life of the Association;
- b) Respecting the principles of the code of ethics;
- c) Cooperating with committees and work groups when requested;
- d) Contributing towards the good reputation of the Association and helping to expand its sphere of influence;
- e) Performing the duties for which they are designated;
- f) Complying, and ensuring compliance with, the decisions of the Association's boards;
- g) Paying for dues and other regulatory fees;
- h) Updating their knowledge for practising the profession, in the case of professionals;
- i) Acting in solidarity in defending the shared interests of the Association's members;
- j) Using professional seal stamp, pursuant to the regulations for their use.

Article 77

Rights and obligations of corresponding members

1 – The rights of corresponding members shall be those referred to in article 75 (c) and (d).

2 – The duties of corresponding members shall be those referred to in (b) and (d) of the previous article.

Article 78

Right of honorary and meritorious members

The right of honorary and meritorious members shall be that referred to in article 75 (1c).

CHAPTER V

Financial scheme

Article 79

Revenues

1 – The following shall constitute revenues of the Association:

- a) Dues paid by its members;
- b) Fees charged for the services provided to its members;
- c) Income from the sale of its publications;
- d) Donations, inheritances, legacies and subsidies;
- e) Income from assets allocated to it;
- f) Revenues from activities and projects;
- g) Other revenues from own assets or other service provisions.

2 – Revenues shall be allocated to the Association's duties, pursuant to terms to be defined in the annual activity plan and budget.

3 – Service fees shall be determined in accordance with criteria of proportionality.

4 – Decisions on the determination of dues and fees shall be approved by the meeting of representatives, by absolute majority, by proposal of the management.

Article 80

Shares

1 –Dues shall be annual, notwithstanding their biannual, quarterly or monthly payment.

2 –The scheme for collecting dues shall be determined in separate regulations.

3 –The regulations referred to in the above paragraph may provide for different amounts of dues in accordance with the seniority of the enrolment.

4 – Revenues from dues shall be allocated to the Association’s duties, pursuant to terms to be defined in the annual activity plan and budget.

Article 81

Expenses

The Association’s expenses shall include installation expenditures and costs incurred for staff, maintenance, functioning and all others needed in the pursuit of its goals.

CHAPTER VI

Disciplinary scheme

SECTION I

General provisions

Article 82

Disciplinary infraction

1 – “Disciplinary infraction” shall mean any acts or omissions entailing the breach, by any member of the Association, of the duties established in these Bylaws and respective regulations.

2 – Disciplinary infractions shall be considered:

a) Minor, when the perpetrator is in slight breach of the professional obligations to which he/she is bound in practising the profession;

b) Serious, when the perpetrator is in serious breach of the professional obligations to which he/she is bound in practising the profession;

c) Very serious, when the perpetrator is in breach of the professional obligations to which he/she is bound in practising the profession, insofar as such conduct affects professional prestige and dignity so as to definitively impair the practising of the profession.

3 – The disciplinary infractions referred to in these Bylaws and other applicable legal and regulatory provisions shall be punishable on the basis of fraud or negligence.

Article 83

Disciplinary jurisdiction

1 – Members of the Association shall be subject to the disciplinary power of the Association's boards, pursuant to these Bylaws and disciplinary regulations.

2 – During the time of the enrolment's suspension, the member of the Association shall remain subject to the Association's disciplinary power.

3 – The cancellation of enrolment shall not result in the termination of disciplinary responsibility for previous infractions.

4 – Punishments with the penalty of expulsion shall not result in the termination of the disciplinary responsibility of the member of the Association in relation to infractions committed before the respective final decision that had applied them.

Article 84

Independence from disciplinary responsibility of members of the Association

1 – Disciplinary responsibility shall be independent from civil and criminal liability arising from the same fact, and shall coexist with any other provided for by law.

2 – Disciplinary responsibility to the Association shall coexist with any other provided for by law.

3 – When, based on the same facts, criminal proceedings have been brought against a member of the Association and, to learn of the existence of a disciplinary infraction, any question must be judged, which cannot be conveniently settled in the disciplinary proceedings, the suspension of the disciplinary proceedings may be ordered during the time in which, by reason of judicial decision or the judicial assessment of any issue, the proceedings cannot begin or continue to take place.

4 – The suspension of disciplinary proceedings pursuant to the above paragraph shall be notified by the Association to the competent judicial authority, which shall order the remittance to the Association of a copy of the bill of indictment and, if applicable, the final indictment.

5 – If the question has not been settled by the end of the time established pursuant to (3), it shall be decided in the disciplinary proceedings.

6 – Whenever, in criminal proceedings against a member of the Association, a date is scheduled for the trial hearing, the court shall order the remittance to the Association, preferably via electronic means, of the bill of indictment, final indictment and contestation, if one has been submitted, together with any other items requested by the management or by the president.

7 – Disciplinary responsibility of members to the Association for committing infractions shall be independent from disciplinary responsibility for the breach of duties arising from labour relations.

Article 85

Disciplinary responsibility of professional firms and of professionals under the free provision of services

1 – Legal persons who are members of the Association shall be subject to the disciplinary power of its boards, pursuant to these Bylaws and the law governing the establishment and functioning of professional firms.

2 – Professionals who provide services in the Portuguese territory under a free provision scheme shall be comparable to members of the Association for disciplinary purposes, pursuant to article 4 (2) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, with the specific provisions contained in article 92 (8) and the disciplinary regulations.

Article 86

Limitation period

1 – The right to bring disciplinary proceedings shall expire five years after the commitment of the act or the last act, in the case of repeat offences.

2 – If the disciplinary infraction simultaneously constitutes a criminal infraction for which the law establishes a longer limitation period, the disciplinary proceedings shall only expire at the end of this latter period.

3 – The limitation period of disciplinary proceedings shall begin on the day on which the act was committed.

4 – The limitation period shall only begin:

- a) For instantaneous infractions, from the time of their commitment;
- b) For continued infractions, from the date of committing the last act;
- c) For permanent infractions, from the date on which their commitment ends.

5 – The disciplinary proceedings shall also expire if, from the time of the competent board's awareness for initiating the disciplinary proceedings or from the time of reporting referred to in article 89 (1), the competent disciplinary proceedings do not begin within one year.

6 – The limitation period for the disciplinary proceedings shall be suspended for the time in which the disciplinary proceedings themselves are suspended, awaiting a bill of indictment or final indictment in criminal proceedings.

7 – The limitation period shall resume beginning on the termination date of the cause of the suspension.

8 – The limitation period for disciplinary proceedings referred to in (1) and (5) shall be interrupted with notice to the perpetrator:

- a) Of the initiation of disciplinary proceedings;
- b) Of the indictment.

SECTION II

Exercising of disciplinary action

Article 87

Exercising disciplinary action

1 – The following may legitimately report to the Association facts potentially constituting a disciplinary infraction:

- a) Any person directly or indirectly affected by the facts reported;
- b) Management;
- c) The Public Prosecutor, pursuant to (3).

2 – The courts and authorities of any kind shall notify the Association of any facts, on the part of members of the Association, potentially constituting a disciplinary infraction.

3 – The Public Prosecutor and criminal police bodies shall remit to the Association a certification of the accusations, reports or complaints submitted against members of the Association that may entail facts potentially constituting a disciplinary infraction.

Article 88

Withdrawal of complaint

The withdrawal of the disciplinary complaint by the interested party shall terminate the disciplinary proceedings, unless the alleged infraction affects the reputation of the member of the Association in question and, in such case, the member expresses his/her intent to continue the proceedings, or the prestige of the Association or the profession, in any of its specialisations.

Article 89

Initiation of disciplinary proceedings;

1 – Any board of the Association, on its own motion or based on a complaint, accusation or report, submitted by a duly identified person, containing facts potentially constituting a disciplinary infraction of a member of the Association, shall immediately notify the facts to the competent board for the initiation of disciplinary proceedings.

2 – When the report is determined to be unfounded, the member of the Association in question shall be notified and provided with the certifications that he/she deems necessary to safeguard his/her lawful rights and interests.

Article 90

Procedural legitimacy

Persons with a direct, personal and lawful interest in relation to facts reported may request involvement in the proceedings from the Association, petitioning and alleging those things deemed convenient.

Article 81

Subsidiary law

Notwithstanding the provisions of these Bylaws, disciplinary proceedings shall be governed by disciplinary regulations, followed, by secondary application, by the procedural norms of the General Labour Law of Civil Servants passed by Law no. 35/2014 of 20 June, as amended by Law no. 82-B/2014 of 31 December.

SECTION III

Disciplinary penalties

Article 92

Application of disciplinary penalties

1 – Disciplinary penalties shall include the following:

- a) Warning;
- b) Mandatory supervised practice of up to 12 months;
- c) Recorded reprimand;
- d) Suspension of up to 24 months;
- e) Expulsion.

2 – The penalty referred to in (a) of the above paragraph shall apply to members who commit minor infractions not resulting in serious damages to third parties or to the Association.

3 – The penalty referred to in (1b) shall apply to members who commit disciplinary infractions resulting from a clear lack of training.

4 – The penalty referred to in (1c) shall apply to members who commit disciplinary infractions with gross negligence, but without significant consequences, or who repeatedly commit the infractions referred to in the above paragraphs.

5 – The penalty referred to in (1d) shall apply to members who commit disciplinary infractions that seriously affect the dignity and prestige of the profession or damage relevant rights or interests of third parties, or who knowingly fail to fulfil the obligation of paying dues for more than 12 months.

6 – The penalty referred to in (1e) shall apply to very serious infractions when, bearing in mind the nature of the profession, the disciplinary infraction has jeopardised the lives or physical integrity of people, or seriously harms the dignity or property of third parties or their equivalent, notwithstanding the right to rehabilitation, pursuant to disciplinary regulations.

7 – The application of a penalty more serious than recorded reprimand to a member holding a position on the Association's boards shall result in the immediate dismissal from this position, with no need for a decision by the meeting of representatives in this regard.

8 – In the case of professionals under a free service provision scheme in the national territory, the penalties referred to in (1d) and (1e) shall take the form of temporary or permanent prohibition from practising the profession in this territory, as applicable.

9 – Whenever the infraction results from the breach of a duty by omission, compliance with the applicable penalties shall not exempt the perpetrator from complying with this duty, if still possible.

Article 93

Classification

1 – The application of penalties should consider the perpetrator's professional and disciplinary background, the degree of culpability, the seriousness and consequences of the infraction and all other aggravating or attenuating circumstances.

2 – Attenuating circumstances are:

- a) The actual practising of the profession for more than five consecutive or non-consecutive years, with no disciplinary penalties and with exemplary conduct and diligence;
- b) The spontaneous remedying of damages caused;
- c) The spontaneous confession to the infraction or infractions;
- d) Provocation;
- e) Fulfilment of a duty, when it cannot solve the disciplinary responsibility of the individual in question.

3 – Aggravating circumstances are:

- a) The determined will, through the perpetrator's conduct, to produce results harmful to users, the prestige or dignity of the profession or the general interest, regardless of their actual occurrence;
- b) Premeditation;
- c) Collusion with other individuals to commit the infraction;
- d) Repeat offences;
- e) Accumulated infractions.

4 – Premeditation consists of the intent to commit the infraction at least 24 hours before its commitment.

5 – A repeat offence occurs when an infraction is committed within three years of the termination date of fulfilling an applicable penalty from a prior infraction, where identical or similar type of obligation was breached.

6 – Accumulation occurs when two or more infractions are committed at the same time, or when one is committed prior to punishing a previous one.

Article 94

Unity and accumulation of infractions

A given member may not be subject to more than one disciplinary penalty per punishable fact.

Article 95

Suspension of penalties

1 – The disciplinary penalties of warning, recorded reprimand and suspension may be suspended when, in view of the perpetrator's personality, life conditions, conduct before and after the infraction and the circumstances of the infraction, it can be concluded that the mere censure of behaviour and threat of a penalty adequately and sufficiently achieve the purposes of the punishment.

2 – The suspension shall be at least six months for the penalties of warning and recorded reprimand, and at least one year for the penalty of suspension, but never exceeding two and three years, respectively, from the start date of complying with the penalty.

3 – The suspension of the penalty shall end whenever, in relation to the punished member of the Association, a conviction is handed down under new disciplinary proceedings.

Article 96

Enforcement of penalties

1 – The management shall be responsible for enforcing decisions handed down under disciplinary proceedings, namely by carrying out the acts needed to actually suspend or cancel the enrolment of members subject to the penalties of suspension and expulsion, respectively.

2 – The application of the penalty of suspension or expulsion shall result in the temporary or definitive prohibition, respectively, of carrying out any professional act, together with the return of the professional licence to the Association's main office or regional delegation where the perpetrator has his/her professional domicile, as applicable.

Article 97

Entry into effect of disciplinary penalties

1 – Disciplinary penalties shall enter into effect on the day following the final decision.

2 – If the perpetrator’s enrolment is suspended for non-disciplinary reasons on the date of the final decision, the fulfilment of the disciplinary penalty of suspension shall begin on the day following that of lifting the suspension.

Article 98

Communication and publicity

1 – The application of the penalties referred to in article 92 (1b) through (1e) shall be notified by the management to the professional firm or association on whose behalf the perpetrator was providing services on the date of the facts’ occurrence, and to the competent authority of the other member state of the European Union or European Economic Area to control the activities of the perpetrator established in this same member state.

2 – The penalties of suspension or expulsion may only be applied when preceded by a public hearing, except in the absence of the perpetrator, pursuant to disciplinary regulations.

3 – The penalties referred to in article 92 (1d) and (1e) shall be publicised at the Association’s official website and at locations considered appropriate for the purposes of general prevention in the legal system.

4 – Except when justifiably decided otherwise by the jurisdictional council, for reasons involving the defence of the Association’s interests or the lawful rights and interests of third parties, the disciplinary penalties referred to in article 92 (1b) through (1d) shall always be made public.

Article 99

Limitation period of disciplinary penalties

Disciplinary penalties shall expire per the following time periods, calculated from the date on which the decision became incontestable:

- a) One month for the penalty of recorded reprimand;
- b) Three months for mandatory supervised practice, up to a maximum of 12 months;
- c) Six months for the penalty of suspension;

d) One year for the penalty of expulsion.

Article 100

Conviction in criminal proceedings

1 – Whenever a prohibition on practising the profession is imposed for a specific time in criminal proceedings, this shall be subtracted from the disciplinary penalty of suspension to be applied to the member of the Association for the same infraction.

2 – The conviction of a member of the Association in criminal proceedings shall be notified to the Association, for purposes of annotation in the respective record.

SECTION IV

Proceedings

Article 101

Mandatory nature

The application of a disciplinary penalty shall always be preceded by an investigation of the facts and disciplinary responsibility in separate proceedings, pursuant to these Bylaws and disciplinary regulations.

Article 102

Forms of proceedings

1 – Disciplinary action shall take the following forms:

a) Disciplinary proceedings;

b) Investigatory proceedings.

2 – Disciplinary proceedings shall always be brought when duly substantiated facts potentially constituting a disciplinary infraction are attributed to a given member of the Association.

3 – Investigatory proceedings shall commence when the existence of a disciplinary infraction or a respective perpetrator cannot be clearly determined, and prompt measures are needed to clarify or substantiate the facts in question.

4 – After identifying the perpetrator, or when the reported facts potentially constituting a disciplinary infraction have been minimally clarified or substantiated, the immediate conversion of the investigatory proceedings into disciplinary proceedings is proposed, by means of a succinctly justified opinion.

5 – When the reported facts are clearly unviable or unfounded, the report should be archived, in compliance with article 89 (2).

Article 103

Disciplinary proceedings

1 – Disciplinary proceedings shall be governed by disciplinary regulations.

2 – Disciplinary proceedings shall be comprised of the following phases:

a) Discovery proceedings;

b) Defence of the perpetrator;

c) Decision;

d) Enforcement.

3 – Regardless of the phase of disciplinary proceedings, the perpetrator shall be ensured all guarantees of defence, pursuant to the general terms of law.

Article 104

Secret nature of proceedings

1 – The proceedings shall be secret in nature until the bill of indictment or archiving.

2 – The rapporteur may authorise consultation of the proceedings by the perpetrator, the accuser or interested parties, when not inconvenient to the discovery proceedings, and under the condition of non-disclosure of their content.

3 – Perpetrators or interested parties, when members of the Association, failing to comply with the secret nature of the proceedings shall be subject to disciplinary responsibility.

SECTION V

Guarantees

Article 105

Jurisdictional control

The decision to apply a disciplinary penalty shall be subject to administrative jurisdiction, in accordance with respective legislation.

Article 106

Revision

1 – Final decisions handed down by the Association's boards with disciplinary jurisdiction shall be subject to review whenever:

a) A final judicial decision declares any aspects of proof or evidence that were decisive for the decision in question to be false;

b) A final judicial decision is considered a proven crime committed by one or more members of the board, which handed down the decision in question, and was related to the performance of their duties in the proceedings;

c) The facts providing the basis for the decision to convict were irreconcilable with those considered proven in another final decision, whose contestation resulted in serious doubts about the fairness of the conviction;

d) New evidence or facts have been discovered that, in and of themselves or combined with those assessed in the proceedings, raise serious doubts about the fairness of the decision to convict.

2 – The mere allegation of illegality, whether formal or substantial, of the disciplinary proceedings and decision shall not constitute grounds for review.

3 – Review shall be allowed even when the proceedings have terminated or the penalty has been fulfilled or has expired.

4 – The exercising of the right of review in this article shall be governed by the applicable provisions of disciplinary regulations.

Article 107

Professional rehabilitation

1 – In the event of the application of the penalty of expulsion, the member in question may be rehabilitated, upon request, and provided that all of the following requirements are met:

- a) More than 10 years have elapsed since the final decision that applied the penalty;
- b) The individual to be rehabilitated has demonstrated good conduct, as demonstrated by any legally permitted means of proof.

2 – Upon the decision to rehabilitate, the rehabilitated member shall recover his/her rights in full and shall be given due publicity, pursuant to article 98, with the necessary adaptations.

CHAPTER VII

Professional ethics

Article 108

General principles

Psychologists shall respect the following general principles in practising their profession:

- a) To act with professional autonomy and independence;
- b) To honour and dignify the profession;
- c) To use their abilities to serve the public interest;
- d) To strive to create a dynamic of social cooperation aimed at enhancing individual and collective well-being;
- e) To defend, and ensure the defence of, professional secrecy;
- f) To demand that employees respect confidentiality;
- g) To use scientific instruments suited to the demanding standards of practising the profession;
- h) To understand and comply with legal and regulatory precepts;
- i) To respect legal impediments and incompatibilities.

Article 109

General obligations

In their professional activities, psychologists shall:

- a) Refrain from endorsing documents or making statements that result in undue favouritism for themselves or others;
- b) Avoid the distorted interpretation, whether explicit or implicit, of the content of technical support documents for exercising the profession, for the purpose of misleading the good faith of others;
- c) Defend ethical principles of the profession, by refusing to cooperate or participate in any service or undertaking deemed harmful to these principles;
- d) Carry out their activities in areas of psychology for which they have received specific training;
- e) Refuse any interference in carrying out their activities that may jeopardise technical, scientific or ethical aspects of their professional practice, regardless of their functions, hierarchical dependencies or place of business;
- f) Refrain from using specific materials of the profession for which they have not received training, or which are known to be outdated or unsuited to the applicable context.

Article 110

Obligations to the Association

Psychologists, in practising their profession, shall:

- a) Respect these Bylaws and regulations of the Association;
- b) Comply with the decisions of the Association;
- c) Collaborate in the duties of the Association, namely by cooperating in disciplinary proceedings and reporting situations of illegal professional practice;
- d) Hold the positions for which they have been elected;
- e) Promptly pay dues payable to the Association, pursuant to these Bylaws;

f) Notify any change in professional domicile within 30 days.

Article 111

Reciprocal obligations between psychologists

Psychologists, in practising their profession, shall:

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

Article 112

Professional secrecy

Psychologists shall be subject to professional secrecy in all matters involving facts disclosed by customers while practising the profession.

Article 113

Advertising

1 – Psychologists' services shall be publicised accurately, limited to the disclosure of information on the types of work done and titles held, observing the discretion, rigour and reserve demanded by a profession in the area of health.

2 – Advertisements shall be limited to objective information on the psychologist's business, such as professional name, professional licence number, contact information, academic title and any specialisations recognised by the Association.

Article 114

Development of ethical rules

Ethical rules for psychologists shall be subject to development in a code of ethics to be approved by the meeting of representatives.

Article 115

Impediments

Psychologists may not:

- a) Carry out any professional activities simultaneously with the psychology business that create ambiguity with regard to the professional practice or complicate the boundaries of this practice;
- b) Simultaneously hold positions on the Association's statutory boards and management positions in public administration, institutions, university courses/cycles in psychology, or any other position with a clear conflict of interests;
- c) Simultaneously hold positions on the Association's statutory boards and positions of a trade union nature;
- d) Carry out other activities referred to in the code of ethics.

CHAPTER VIII

Single point of contact and information transparency

Article 116

Single point of contact

1 – All requests, communications and notices under this law between the Association and professionals, psychologist firms and other professional associations, except for those related to disciplinary proceedings, shall be done by electronic means through the single electronic point of contact referred to in articles 5 and 6 of Decree Law no. 92/2010 of 26 July, accessible via the Association's Internet website.

2 – When, for reasons of electronic platform downtime, the provisions of the above paragraph cannot be fulfilled, the information in question may be transmitted by delivery to the Association's services via registered post, facsimile or email.

3 – The submission of simple documents pursuant to the above paragraphs shall not require the sending of original, authentic, authenticated or certified documents, notwithstanding the provisions of article 7 (3a), (3c), (4) and (5) of Decree Law no. 92/2010 of 26 July.

4 – The provisions of article 5 (d) and (e) and article 7 (1) of Decree Law no. 92/2010 of 26 July shall also apply to the procedures referred to in this article.

Article 117

Information on the Internet

In addition to other information provided for by article 23 of Law no. 2/2013 of 10 January, and the information referred to in article 6 (3) of Decree Law no. 92/2010 of 26 July and article 19 (4) of Directive [2000/31/EC](#) of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, namely electronic commerce, in the Internal Market, the Association shall provide the following information to the general public through its Internet website:

- a) Scheme for accessing and practising the profession;
- b) Principles and rules of ethics and technical standards applicable to its members;
- c) Procedure for submitting claims or complaints by the recipients of services provided by professionals within the scope of their business;
- d) Job opportunities at the Association;
- e) Updated member registry, including:
 - i) Name, professional domicile and professional licence or card number;
 - ii) Designated title and professional specialisations;
 - iii) Situations of suspension or temporary prohibition from practising the profession, if applicable;
- f) Updated registry of professionals under the free provision of services in the national territory, considered enrolled pursuant to article 4 (2) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, including:
 - i) Name, professional domicile and, if it exists, the designated professional title of origin and respective specialisations;
 - ii) Identification of the professional public association in the member state of origin in which the professional is enrolled;
 - iii) Situations of suspension or temporary prohibition from practising the profession, if applicable;

iv) Information related to professional firms or other forms of professional association for which they provide services in the member state of origin, if they provide services here in this capacity.

Article 118

Administrative cooperation

The Association shall provide mutual assistance to, and request mutual assistance from, the administrative authorities of other member states of the European Union and European Economic Area and the European Commission, and shall take the necessary measures with them to cooperate effectively, namely through the Internal Market Information System, within the scope of procedures related to service providers already established in another member state, pursuant to chapter VI of Decree Law no. 92/2010 of 26 July, article 51 (2) of Law no. 9/2009 of 4 March, as amended by Law no. 41/2012 of 28 August and Law no. 25/2014 of 2 May, and article 19 (2) and (3) of Directive [2000/31/EC](#) of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, namely electronic commerce.