This section of the file corresponds to part 2, book 10 (Executions), title 1 (General provisions) of the Portuguese criminal procedure code.

Article 467 - Decisions with Executive Force

- 1 Final and unappealable criminal decisions have enforceable force throughout Portuguese territory and even in foreign territories, in accordance with treaties, conventions and rules of international law.
- 2 Acquittal criminal decisions are enforceable as soon as they are issued, without prejudice to the provisions of paragraph 3 of article 214.

Article 468 - Unenforceable Decisions

A criminal decision is not enforceable if:

- a) Not determining the penalty or security measure applied or applying a penalty or measure that does not exist in Portuguese law;
 - b) It is not reduced to writing; or
- c) In the case of a foreign criminal sentence, it has not been reviewed and confirmed in cases where this is legally required.

Article 469 - Promotion of Execution

The Public Prosecutor's Office is responsible for promoting the execution of sentences and security measures, as well as the execution of compensation and other amounts owed to the State or to people it is responsible for representing in court.

Article 470 - Court Competent for Execution

- 1 The execution takes place in the case itself before the president of the court of first instance in which the process took place, without prejudice to the provisions of article 138 of the Code for the Execution of Sentences and Deprivation of Liberty Measures.
- 2 If the case has been judged in the first instance by the court or by the Supreme Court of Justice, or if the decision has been reviewed and confirmed, the execution takes place in the district where the condemned person is domiciled, unless he is a judicial or court magistrate. Public Prosecutor in office there, in which case the execution takes place in the nearest court.

Article 471 - Supervening Knowledge of the Competition

- 1 For the purposes of the provisions of article 78, paragraphs 1 and 2, of the Penal Code, the collective court or the individual court has jurisdiction, depending on the case. Article 14(2)(b) is correspondingly applicable.
 - 2 Without prejudice to the provisions of the previous paragraph, the court of the last conviction has territorial jurisdiction.

Article 472 - Processing

- 1 For the purposes of the provisions of article 78, no. 2, of the Penal Code, the court designates a day for the hearing to be held, ordering, ex officio or upon request, the steps deemed necessary for the decision.
- 2 The presence of the defender and the Public Prosecutor's Office is mandatory, and they are given fifteen minutes for final arguments. The court determines the cases in which the defendant must be present.

Article 473 - Suspension of Execution

- 1 As soon as an order of pronouncement is issued or that designates the day for the trial of a magistrate, juror, witness, expert or court official for facts that may have determined the conviction of the accused, the attorney general of the republic may request the Supreme Court of Justice to suspend the execution of the sentence until the case is decided, attaching supporting documents.
- 2 The Supreme Court of Justice decides, in the criminal sections, whether the execution of the sentence should be suspended, and, if so, whether a measure of coercion or legally admissible asset guarantee should be applied in the case.
 - 3 The provisions of article 455 are correspondingly applicable to the trial.

Article 474 - Competence for Incident Issues

- 1 It is up to the court competent for execution to decide issues relating to the execution of sentences and security measures and the extinction of liability, as well as the extension, payment in installments or replacement with work of the fine sentence and the serving of subsidiary imprisonment.
- 2 The application of amnesty andother clemency measures provided for by law are the responsibility of the court referred to in the previous paragraph or the court of appeal or execution of sentences where the case is taking place.

Article 475 - Extinction of Execution

The court competent for execution declares the sentence or security measure extinct, notifying the beneficiary with delivery of a copy and, where appropriate, sending copies to prison services, social reintegration services and other institutions it determines.

Article 476 - Contumacy

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10

This section of the file corresponds to part 2, book 10 (On executions), title 2 (On the execution of the prison sentence) of the

Portuguese criminal procedural code.

Chapter I - From Prison

Article 477.9 - Communication of the Judgment to Various Entities

- 1 The Public Prosecutor's Office sends to the court executing the sentences and to the prison and social reintegration services, within five days after the final judgment, a copy of the sentence imposing a custodial sentence.
- 2 The Public Prosecutor's Office indicates the dates calculated for the end of the sentence and, in cases of admissibility of parole, for the purposes set out in articles 61 and 62 and in paragraph 1 of article 90 of the Code Criminal.
- 3 In the case of a relatively indeterminate sentence, the Public Prosecutor's Office also indicates the date calculated for the purpose set out in article 90, no. 3, of the Penal Code.
- 4 The calculation provided for in paragraphs 2 and 3 is approved by the judge and communicated to the convicted person and his lawyer.
- 5 In the event of an appeal against the decision imposing a custodial sentence and the defendant is deprived of his liberty, the Public Prosecutor's Office sends a copy of the decision to the prison services, indicating that an appeal has been filed.

Article 478.9 - Entry into the Prison Establishment

Those sentenced to prison are admitted to the prison by order of the competent judge.

Article 479 - Counting of Prison Time

- 1 When counting prison time, years, months and days are computed according to the following criteria:
- a) The imprisonment fixed in years ends on the corresponding day, within the last year, to the start of the count and, if there is no corresponding day, on the last day of the month;
- b) Imprisonment fixed in months is counted considering each month a period that ends on the corresponding day of the following month or, failing that, on the last day of the month;
- c) Imprisonment fixed in days is counted considering each day as a period of twenty-four hours, without prejudice to what is provided in article 481 regarding the moment of release.
- 2 When the prison sentence is not served continuously, the time corresponding to the interruptions is added to the day found according to the criteria in the previous paragraph.

Article 480 - Release Writ

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Article 481 - Moment of Liberation

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Article 482.º - Communications

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Article 483.º - Posterior Psychic Anomaly

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Chapter II - Parole

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Article 484 - Beginning of the Parole Process

Repealed by article 8 of Law no. 115/2009 - Dlário da República no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Article 485 - Decision

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Article 486 - Renewal of Instance

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Chapter III - Execution of Prison for Free Days and in Semidetention Regime

Repealed by article 13 of Law no. 94/2017 - Official Gazette no. 162/2017, Series I of 2017-08-23, in force from 2017-11-21 Article 487.º - Content of the Decision and Commencement of Compliance

Repealed by article 13 of Law no. 94/2017 - Official Gazette no. 162/2017, Series I of 2017-08-23, in force from 2017-11-21 Article 488.º - Execution, Lacks and Term of Compliance

Repealed by article 13 of Law no. 94/2017 - Official Gazette no. 162/2017, Series I of 2017-08-23, in force from 2017-11-21

This section of the file corresponds to part 2, book 10 (On executions), title 3 (On the execution of non-custodial sentences) of the Portuguese criminal procedural code.

Chapter I - Execution of the Fine Penalty

Article 489.º - Payment Term

1 - The fine is paid after the decision that imposed it becomes final and for the amount established therein, and cannot be increased by any additional amounts.

- 2 The payment deadline is 15 days from notification to this effect.
- 3 The provisions of the previous paragraph do not apply if the payment of the fine has been deferred or authorized by the installment system.

Article 490.º - Replacement of the Fine with Days of Work

- 1 The request to replace the fine with working days is presented within the period set out in paragraphs 2 and 3 of the previous article, and the convicted person must indicate professional and educational qualifications, professional and family situation and available time, as well as If possible, mention an institution where you intend to work.
- 2 The court may request additional information from social reintegration services, particularly regarding the place and hours of work and remuneration.
- 3 The replacement decision indicates the number of hours of work and is communicated to the convicted person, the social reintegration services and the entity to whom the work must be provided.
 - 4 If the fine is not replaced by working days, the payment period is 15 days from notification of the decision.

Article 491 - Non-Payment of the Fine

- 1 Once the deadline for paying the fine or any of its installments has passed without payment being made, the asset is enforced.
- 2 If the convicted person has sufficient seizable assets that the court is aware of or that it indicates within the payment period, the Public Prosecutor's Office immediately carries out the execution, which follows the provisions set out in the Code of Civil Procedure for the execution of compensation.
- 3 The decision on the suspension of the execution of the subsidiary prison is preceded by an opinion from the Public Prosecutor's Office, when the latter was not the applicant.

Article 491.9-A - Payment of the Fine to Other Entities

- 1 Whenever, at the time of detention to serve the subsidiary prison sentence, the convicted person intends to pay the fine, but is unable, without serious inconvenience, to make the payment in court, he or she may make the payment to the police entity, upon delivery of a receipt, I bet in triplicate of the warrant.
- 2 Outside of the case provided for in the previous paragraph or when the court is closed, payment of the fine may still be made, against receipt, at the prison where the convicted person is located.
- 3 For the purposes set out in the previous paragraphs, warrants must contain indicating the amount of the fine, as well as the amount to be deducted for each day or fraction thereof that the defendant was detained.
- 4 Within the next 10 days, the police entity or prison establishment remits or delivers the amount received to the sentencing court.

Article 491.9-B - Third Party Liability

In cases of civil liability of third parties for the payment of fines and compensation in which the legal person or similar entity is convicted, in the absence of sufficient seizable assets, the Public Prosecutor's Office immediately promotes the execution against those jointly and severally liable, in accordance with the provisions of the Code of Civil Procedure for the execution of damages.

Chapter II - Execution of Suspended Sentence

Article 492.9 - Modification of Duties, Rules of Conduct and Other Imposed Obligations

- 1 The modification of the duties, rules of conduct and other obligations imposed on the convict in the sentence that decreed the suspension of the execution of the prison is decided by order, after collecting evidence of the relevant circumstances that supervened or of which the court only became aware later.
- 2 The order is preceded by an opinion from the Public Prosecutor's Office and a hearing of the convicted person, and also by social reintegration services if the suspension was accompanied by a probationary period.

Article 493.9 - Periodic Presentation and Subjection to Medical Treatment or Cure

- 1 If periodic presentation is determined before the court, the presentations are noted in the process.
- 2 If a presentation is determined before another entity, the court shall make the necessary communication to that entity, and the entity in question must inform the court about the regularity of the presentations and, if applicable, the non-compliance by the convicted person, indicating the reasons that are known to you.
- 3 The convict's subjection to medical treatment or cure in an appropriate institution during the period of suspension is carried out by means of a warrant issued, for that purpose, by the court.
- 4 Those responsible for the institution inform the court of the progress and end of the treatment or cure, and may suggest measures that they consider appropriate for its success.

Article 494 - Social Reinsertion Plan

1 - The decision suspending the execution of the prison sentence must contain the social reintegration plan that the court requests from the social reintegration services.

- 2 The decision, once final, is communicated to the social reintegration services.
- 3 When the decision does not contain the social reintegration plan or this needs to be completed, the social reintegration services prepare or re-elaborate it, after hearing the convicted person, within 30 days, and submit it to the court for approval.

 Article 495 Failure to Comply with Suspension Conditions
- 1 Any authorities and services that are requested to support the convicted person in fulfilling the duties, rules of conduct or other obligations imposed shall report to the court the lack of compliance, by the convicted person, with these duties, rules of conduct or obligations, for the purposes of the provisions of articles 51, no. 3, 52, no. 3, 55 and 56 of the Penal Code.
- 2 The court decides by order, after collecting the evidence, obtaining an opinion from the Public Prosecutor's Office and hearing the convicted person in the presence of the technician who supports and monitors compliance with the suspension conditions, as well as, whenever necessary, hearing the victim, even who has not been appointed assistant.
- 3 Conviction for any crime committed during the period of suspension is immediately communicated to the court competent for execution, and a copy of the sentencing decision is sent to it.
- 4 For the due effects of the provisions of paragraph 1, the decision that decrees the imposition of duties, rules of conduct or other obligations is communicated to the authorities and services referred to there.
- Chapter III Execution of the Provision of Work in Favor of the Community and Admonition
- Article 496 Provision of Work in Favor of the Community
- 1 If the court decides to apply the provision of work in favor of the community, it requests the social reintegration services to draw up an implementation plan.
 - 2 The social reintegration services prepare the execution plan within 30 days.
- 3 Once final, the conviction is communicated to the social reintegration services and the entity to which the work must be provided, and they must place the convicted person in the job within a maximum period of three months.

Article 497 - Admonition

- 1 The admonition is issued after the decision that applies it has become final and unappealable.
- 2 The admonition is issued immediately if the Public Prosecutor's Office, the accused and the assistant declare in the minutes that they renounce the filing of an appeal.
- 3 The court executes the admonition in such a way that it is not confused with the address referred to in article 375, paragraph 2.
- Article 498 Provisional Suspension, Revocation, Extinction, Replacement and Modification of Execution
- 1 The court may request information from social reintegration services for the purposes of the provisions of article 59, paragraph 1, of the Penal Code.
- 2 Once the work has been completed, or whenever serious anomalies occur during its course, the social reintegration services send the respective report to the court.
- 3 The provisions of article 495, paragraphs 2 and 3, are correspondingly applicable to provisional suspension, revocation, extinction and replacement.
- 4 Whenever circumstances or anomalies occur that may justify changes to the specific modality of work provision, the social reintegration services communicate these facts to the court, providing it, whenever possible, with the necessary indicators for modifying the provision. of work.
- 5 In the case provided for in the previous paragraph, the court may waive the collection of evidence and the hearing of the convicted person who has expressed adherence to the modification indicated by the social reintegration services, deciding immediately by order, after hearing the Public Prosecutor's Office.
- Chapter IV Execution of Additional Sentences

Article 499 - Decision and Procedures

- 1 The decision decreeing the prohibition or suspension of the exercise of a public function is communicated to the director of the service or body to which the convicted person depends.
- 2 The decision decreeing the prohibition or suspension of the exercise of a profession or activity that depends on a public title or authorization or approval from a public authority is communicated, depending on the case, to the professional body in which the convicted person is registered or to the competent entity for authorization or approval.
- 3 The decision banning the exercise of the functions of company manager or administrator is communicated to the commercial registry.
 - 4 The court may order the seizure, for as long as the prohibition lasts, of documents that certify the profession or activity.
- 5 Electoral incapacity is communicated to the electoral registration commission in which the convicted person is registered or must register, with the additional penalty being decreed under article 27-A of Law no. 34/87, of 16 of July, which determines the crimes for which political office holders are responsible, communicated to the Constitutional Court and the National Elections

Commission or to the body or entity that nominates the convicted person.

- 6 The incapacity to exercise parental authority, guardianship, guardianship, administration of assets or to be a juror is communicated to the civil registry office wherethe convict's birth record is registered.
- 7 In addition to the provisions of the previous paragraphs, the court orders the necessary measures to execute the additional sentence.

Article 500 - Driving Prohibition

- 1 The decision enacting a ban on driving motorized vehicles is communicated to the Directorate-General for Transport.
- 2 Within 10 days of the sentence becoming final, the convicted person delivers his driving license to the court secretariat, or to any police station, which sends it to that court, if it is not already seized in the process.
- 3 If the person convicted of being prohibited from driving motor vehicles does not proceed in accordance with the provisions of the previous paragraph, the court orders the seizure of the driving license.
- 4 The driving license is retained at the court office for the period of time that the prohibition lasts. After this period, the license is returned to the holder.
 - 5 The provisions of paragraphs 2 and 3 apply to driving licenses issued in a foreign country.
- 6 In the case referred to in the previous paragraph, the court secretariat sends the license to the General Directorate of Transport, in order for the prohibition to be noted on it. If seizure is not feasible, the secretariat, through the General Directorate of Transport, communicates the decision to the competent body in the country that issued the license.

This section of the file corresponds to part 2, book 10 (On executions), title 4 (On the execution of security measures) of the criminal procedural code of Portugal.

Chapter I - Execution of Security Measures Depriving Freedom

Article 501 - Decisions on Internment

- 1 The decision ordering internment specifies the type of institution in which it must be carried out and determines, if applicable, the maximum and minimum duration of internment.
 - 2 The beginning and end of internment are carried out by order of the court.

Article 502.9 - Communication of the Judgment to Various Entities

- 1 The Public Prosecutor's Office sends to the court executing the sentences, to the prison and social reintegration services and to the institution where the confinement takes place, within five days after the final judgment, a copy of the sentence that applies a private security measure freedom.
- 2 The Public Prosecutor's Office expressly indicates the date calculated for the purpose set out in article 93, paragraphs 2 and 3, of the Penal Code and will communicate in the future any changes that may occur in the execution of the security measure.
- 3 In the event of an appeal against the decision to apply a security measure for internment and the defendant is deprived of liberty, the Public Prosecutor's Office sends a copy of the decision to the prison services, indicating that an appeal has been lodged.

 Article 503 Individual Process

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10

Article 504 - Re-examination of Internment

- 1 If the review provided for in article 96 of the Penal Code takes place, the court orders:
 - a) The carrying out of psychiatric or personality expertise, with the respective report being presented to you within 30 days;
- b) Unofficially or at the request of the Public Prosecutor's Office, the interned person or the defender, the steps that appear to be of interest for the decision.
- 2 If, following the assessment of the psychiatric expertise, it is concluded that there are favorable conditions, the magistrate may request a social report containing an analysis of the inmate's family, social and professional background.
- 3 The re-examination takes place with a hearing of the Public Prosecutor's Office, the defender and the convicted person, and their presence can only be waived if their health condition makes the hearing useless or unfeasible.

Article 505- Revocation of Freedom for Trial

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10 Article 506 - Applicable Provisions

The provisions of article 479 are correspondingly applicable to the internment measure.

Chapter II - Execution of Sentence and Deprivation of Liberty Security Measure

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10

Article 507 - Execution of Sentence and Security Measure Depriving Liberty

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10

Chapter III - Execution of Non-deprivation of Liberty Security Measures

Article 508 - Non-depriving Security Measures

- 1 The provisions of paragraphs 2 to 4 of article 499 are correspondingly applicable to the prohibition of activity.
- 2 The decision decreeing the revocation of the driving license and the prohibition of granting a license is communicated to the General Directorate of Transport, which will communicate it to any other entities legally authorized to issue this license.
- 3 The provisions of paragraphs 2 and 3 of article 500 are correspondingly applicable to the decision provided for in the previous paragraph.
- 4 The provisions of paragraphs 2, 3, 5 and 6 of article 500 are correspondingly applicable to the driving license issued in a foreign country.
- 5 The extension of the interdiction period and the re-examination of the situation that gave rise to the application of the measure are decided by the court prior to hearing the Public Prosecutor's Office, the defender and the people subject to them, unless, in relation to these, their condition makes the useless or unfeasible hearing.
- 6 The provisions of the previous number and article 492 are correspondingly applicable to the application of rules of conduct.

This section of the file corresponds to part 2, book 10 (On Executions), title 5 (On the Execution of the Relatively Indeterminate Sentence) of the Criminal Procedure Code of Portugal.

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10

Article 509 - Execution of Relatively Indeterminate Sentence

Repealed by article 8 of Law no. 115/2009 - Official Gazette no. 197/2009, Series I of 2009-10-12, in force from 2010-04-10

This section of the file corresponds to part 2, book 10 (On Executions), title 6 (On the Execution of Assets and Destination of Fines) of the Criminal Procedure Code of Portugal.

Article 510 - Applicable Law

In everything that is not specifically provided for in this code, the execution of assets is governed by the provisions of the Civil Procedure Code and the Procedural Costs Regulation.

Article 511 - Order of Payments

With the proceeds of the foreclosed assets, payments are made in the following order:

1st - Criminal fines and fines;

2nd - The justice fee;

3rd - Charges paid in favor of the State and the Institute of Financial Management and Infrastructures of Justice, I.P.;

4.º - The remaining charges, proportionally;

5th - Compensation.

Article 512.9 - Destination of Fines

Unless otherwise specified, the amounts of fines and fines collected in court have their destination set out in the Procedural Costs Regulations.

This section of the file corresponds to part 2, book 11 (Liability for costs) of the Portuguese criminal procedure code.

Chapter I - Execution of Security Measures Depriving Freedom

Article 513 - Liability of the Defendant for Costs

- 1 The court fee must only be paid when there is a conviction in the first instance and a total decline in any appeal.
- 2 The defendant is sentenced to a single tax, even if he is responsible for several crimes, as long as hethat are tried in a single proceeding.
- 3 The sentence to pay court fees is always individual and the respective amount is set by the judge, in the end, under the terms provided for in the regulations on court costs.
- 4 The exemption from the sentence does not release the defendant from the obligation to pay costs.

Article 514 - Responsibility of the Defendant for Costs

- 1 Unless there is legal aid, the convicted defendant is responsible for the final payment of the costs to which his/her activity has given rise.
- 2 If several defendants are sentenced to pay court fees and it is not possible to individualize the responsibility of each of them for the costs, this is joint and several when the costs result from a common and joint activity in other cases, unless another criterion is set out in the decision.
- 3 If the assistant is also sentenced to pay court fees, the responsibility for the costs that cannot be attributed to the simple activity of one or the other is shared by both equally.

Article 515 - Responsibility of the Assistant for Costs

- 1 A court fee is due by the assistant in the following cases:
- a) If the defendant is acquitted or is not charged for all or some of the crimes contained in the accusation that he has brought or with which he has agreed;

- b) If he fails, totally or partially, in an appeal that he has lodged, to which he has supported or to which he has opposed;
- c) (Revoked.)
- d) If he terminates the proceedings due to withdrawal or unjustified abstention from charging;
- e) (Revoked.)
- f) If an accusation that he has brought is rejected.
- 2 Where there are several assistants, each one pays the respective court fee. 3 (Repealed.)

Article 516 - Filing or Suspension of Proceedings

No court fee is due when the proceedings have been filed or suspended, pursuant to Articles 280 and 281.

Article 517 - Cases of Exemption for Assistants

The assistant is exempt from paying court fees when, for reasons supervening on the accusation he has brought or to which he has agreed and which are not attributable to him, the defendant is not indicted or is acquitted.

Article 518 - Responsibility of the Assistant for Charges

When the proceedings depend on a private accusation, the assistant sentenced to pay the fee also pays the charges to which his activity has given rise.

Article 519 - Tax Due for the Appointment of an Assistant

- 1 The appointment of an assistant gives rise to the payment of court fees, under the terms set out in the regulations on court costs. 2 (Repealed.)
- 3 In the event of the death or incapacity of the assistant, the payment of the tax already made shall be made to those who present themselves in his place, in order to continue the assistance.

Article 520 - Responsibility of the Whistleblower

The whistleblower shall also pay the costs, when it is shown that he/she reported in bad faith or with gross negligence.

Article 521 - Special Rules

- 1 The provisions of the Code of Civil Procedure regarding the conviction to pay an exceptional penalty fee shall apply to the practice of any acts in criminal proceedings.
- 2 In the case of acts committed by a person who is not a subject of criminal proceedings and in the case of conduct that hinders the progress of the proceedings or implies the substantial disposition of time and resources, the judge may sentence the person concerned to pay a fee set between 1 UC and 3 UC.

Article 522 - Exemptions

1 - The Public Prosecutor's Office is exempt from costs and fines. 2 - (Repealed.)

Article 523 - Costs in Civil Claims

The rules of civil procedure shall apply to liability for costs relating to civil claims for compensation.

Article 524 - Provisions Ssubsidiaries

The provisions of the Regulation on Procedural Costs are subsidiarily applicable.