

This file corresponds to book 2, title 2 (crimes against property) of the Portuguese penal code.

Chapter 1 - preliminary provision

Article 202 - legal definitions: for the purposes of the provisions of the following articles it is considered:

- a) high value: that which exceeds 50 units of account valued at the time of the act;
- b) considerably high value: that which exceeds 200 units of account valued at the time of the act;
- c) small value: that which does not exceed a unit of account valued at the time of the act;
- d) break-in: the breaking, fracturing or destruction, in whole or in part, of a device intended to close or prevent entry, externally or internally, to a house or enclosed space dependent on it;
- e) climbing: entry into a house or a closed place dependent on it, through a place not normally intended for entry, namely through roofs, terrace or balcony doors, windows, walls, underground openings or through any device intended to close or prevent the entrance or passage;
- f) fake keys:
 - i) those imitated, counterfeited or altered;
 - ii) the true ones when, fortuitously or surreptitiously, they are outside the power of whoever has the right to use them; It is
 - iii) lockpicks or any instruments that can be used to open locks or other security devices;
- g) landmark: any construction, planting, ditch, siding or other sign intended to establish the limits between different properties, placed by court decision or with the agreement of whoever is legitimately authorized to do so.

Chapter 2 - crimes against property

Article 203 - theft

- 1 - whoever, with the illegitimate intention of appropriating for himself or for another person, steals someone else's movable property or animal, is punished with a prison sentence of up to 3 years or a fine.
- 2 - the attempt is punishable.
- 3 - criminal proceedings depend on a complaint.

Article 204 - qualified theft

- 1 - anyone who steals someone else's property or animal:
 - a) of high value;
 - b) placed or transported in a vehicle or placed in a place intended for storing objects or transported by passengers using public transport, even if the removal takes place at the station, station or pier;
 - c) used for religious worship or veneration of the memory of the dead and located in a place designated for worship or in a cemetery;
 - d) exploiting a situation of special weakness of the victim, of disaster, accident, public calamity or common danger;
 - e) closed in a drawer, safe or other receptacle equipped with a lock or other device specially designed for its security;
 - f) illegitimately entering a dwelling, even if mobile, commercial or industrial establishment or closed space, or remaining hidden there with the intention of stealing;
 - g) with usurpation of the title, uniform or insignia of a public, civil or military employee, or alleging a false order from a public authority;
 - h) making theft a way of life; or
 - i) leaving the victim in a difficult economic situation;
 - j) preventing or disrupting, in any way, the operation of communications services or the supply of water, electricity, energy, heat, oil, gasoline or gas to the public;is punished with a prison sentence of up to five years or a fine of up to 600 days.
- 2 - anyone who steals someone else's movable property or animal:
 - a) of considerably high value;
 - b) that has important significance for technological or economic development;c) that by its nature is highly dangerous;
 - d) that has important scientific, artistic or historical value and is in a public collection or exhibition or accessible to the public;
 - e) penetrating a dwelling, even if mobile, commercial or industrial establishment or other closed space, by break-in, climbing or false keys;
 - f) bringing, at the time of the crime, an apparent or hidden weapon; or
 - g) as a member of a gang committed to the repeated commission of crimes against property, with the collaboration of at least one other member of the gang;is punished with a prison sentence of 2 to 8 years.

3 - if more than one of the requirements referred to in the previous paragraphs are present in the same conduct, only the one that has the strongest aggravating effect is considered for the purposes of determining the applicable penalty, with the other or others being valued in accordance with the measure of the penalty.

4 - there is no room for qualification if the stolen thing or animal is of low value.

Article 205 - abuse of trust

1 - whoever illegitimately appropriates movable property or animal that has been delivered to him by a non-translatable title of property is punished with a prison sentence of up to 3 years or a fine.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint.

4 - if the thing or animal referred to in paragraph 1 is:

a) of high value, the agent is punished with a prison sentence of up to 5 years or a fine of up to 600 days;

b) of a considerably high value, the agent is punished with a prison sentence of 1 to 8 years.

5 - if the agent has received the thing or animal in a deposit imposed by law due to his trade, employment or profession, or as a guardian, curator or judicial depository, he is punished with a prison sentence of 1 to 8 years.

Article 206 - refund or repair

1 - in the cases provided for in paragraphs a), b) and e) of paragraph 1, in paragraph a) of paragraph 2 of article 204 and in paragraph 4 of article 205, the criminal liability, with the agreement of the offended party and the defendant, without illegitimate damage to a third party, until the publication of the sentence of the 1st instance, provided that there has been restitution of the stolen or illegitimately appropriated thing or animal or full compensation for the damage caused.

2 - when the stolen or illegitimately appropriated thing or animal is returned, or full compensation for the damage caused takes place, without illegitimate damage to a third party, until the beginning of the trial hearing in the first instance, the penalty is especially mitigated.

3 - if the restitution or reparation is partial, the penalty may be particularly attenuated.

Article 207 - private accusation

1 - in the case of article 203 and paragraph 1 of article 205, the criminal procedure depends on private accusation if:

a) the perpetrator is the victim's spouse, ascendant, descendant, adoptee, adoptee, relative or similar up to the 2nd degree, or lives with the victim in conditions similar to those of the spouses; or

b) the stolen or illegitimately appropriated thing or animal is of minimal value and intended for immediate and indispensable use to satisfy a need of the agent or other person mentioned in subparagraph a).

2 - in the case of article 203, the criminal procedure depends on private accusation when the conduct occurs in a commercial establishment, during the period when it is open to the public, in relation to the theft of movable things or exposed animals of low value and as long as there has been immediate recovery of these, except when committed by two or more people.

Article 208 - theft of vehicle use

1 - anyone who uses a car or other motorized vehicle, aircraft, boat or bicycle, without authorization from someone right, is punished with a prison sentence of up to 2 years or a fine of up to 240 days, if a more serious penalty is not applicable due to another legal provision.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint or, in the cases provided for in article 207, a private accusation.

Article 209 - illegitimate appropriation in case of accession or found thing or animal

1 - whoever illegitimately appropriates other people's things or animals that have come into their possession or detention as a result of natural force, error, unforeseeable circumstances or in any way independent of their will is punished with a prison sentence of up to 1 year or with a sentence of fine of up to 120 days.

2 - the same penalty applies to anyone who illegitimately appropriates someone else's thing or animal that they have found.

3 - criminal proceedings depend on a complaint. The provisions of articles 206 and 207 are correspondingly applicable.

Article 210 - theft

1 - whoever, with the illegitimate intention of appropriating for himself or for another person, steals, or forces the delivery of, another's movable property or animal, through violence against a person, threat of imminent danger to life or physical integrity, or making it impossible to resist, is punished with a prison sentence of 1 to 8 years.

2 - the penalty is imprisonment for 3 to 15 years if:

a) any of the agents poses a danger to the life of the victim or inflicts on him, at least through negligence, a serious injury to his physical integrity; or

b) any requirements referred to in paragraphs 1 and 2 of article 204 are met, singularly or cumulatively, with the provisions of paragraph 4 of the same article being correspondingly applicable.

3 - if the act results in the death of another person, the agent is punished with a prison sentence of 8 to 16 years.

Article 211 - violence after abduction

The penalties provided for in the previous article are, depending on the case, applicable to anyone who uses the means provided for in the same article to, when found in the act of theft, preserve or not return the stolen things or animals.

Article 212 - damage

1 - whoever destroys, in whole or in part, damages, defaces or makes other people's property or animals unusable, is punished with a prison sentence of up to three years or a fine.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint.

4 - the provisions of articles 206 and 207 are correspondingly applicable.

Article 213 - qualified damage

1 - whoever destroys, in whole or in part, damages, defaces or renders unusable:

a) foreign thing or animal of high value;

b) public monument;

c) thing or animal intended for public use and utility or for public bodies or services;

d) thing belonging to cultural heritage and legally classified or in the process of being classified; or

e) thing or animal unrelated to religious worship or the veneration of the memory of the dead and which is found in a place

designated for worship or in a cemetery;

is punished with a prison sentence of up to 5 years or a fine of up to 600 days.

2 - whoever destroys, in whole or in part, damages, disfigures or makes unusable another's thing or animal:

a) of considerably high value;

b) natural or man-made, officially listed or placed under official protection by law;

c) that has important scientific, artistic or historical value and is in a public collection or exhibition or accessible to the

public; or

d) that has important significance for technological or economic development;

is punished with a prison sentence of 2 to 8 years.

3 - is correspondingly applicableThe provisions of paragraphs 3 and 4 of article 204 and 2 and 3 of article 206 and in paragraph a) of paragraph 1 of article 207 are valid.

4 - paragraph 1 of article 206 applies in the cases of paragraph a) of paragraph 1 and paragraph a) of paragraph 2.

Article 214 - damage with violence

1 - if the facts described in articles 212 and 213 are committed with violence against a person, or threaten imminent danger to life or physical integrity, or make it impossible to resist, the agent is punished:

a) in the case of article 212, with a prison sentence of 1 to 8 years;

b) in the case of article 213, with a prison sentence of 3 to 15 years;

c) if the act results in the death of another person, with a prison sentence of 8 to 16 years.

2 - the penalties provided for in the previous paragraph are applicable to anyone who uses the means provided for therein to, when found in the act of causing harm, continue the criminal act.

Article 215 - usurpation of immovable property

1 - whoever, through violence or serious threat, invades or occupies another's property, with the intention of exercising rights of ownership, possession, use or servitude not protected by law, sentence or administrative act, is punished with a prison sentence of up to 2 years or with a fine of up to 240 days, if a more serious penalty is not applicable considering the means used.

2 - the penalty provided for in the previous paragraph is applicable to anyone who, by the means indicated in the previous paragraph, diverts or dams water, without having the right to do so, with the intention of achieving, for themselves or another person, an illegitimate benefit.

3 - criminal proceedings depend on a complaint.

Article 216 - change of landmarks

1 - whoever, with the intention of appropriating, in whole or in part, someone else's immovable property, for himself or for another person, rips up or alters a landmark is punished with a prison sentence of up to 6 months or a fine of up to 60 days.

2 - criminal proceedings depend on a complaint.

3 - the provisions of articles 206 and 207 are correspondingly applicable

Chapter 3 - crimes against property in general

Article 217 - fraud

1 - whoever, with the intention of obtaining illegitimate enrichment for himself or for a third party, through error or mistake

regarding facts that he cunningly provoked, determines another to carry out acts that cause him, or cause another person, financial loss is punished with a penalty imprisonment for up to 3 years or a fine.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint.

4 - the provisions of articles 206 and 207 are correspondingly applicable.

Article 218 - qualified fraud

1 - whoever commits the act provided for in paragraph 1 of the previous article is punished, if the property damage is of a high value, with a prison sentence of up to 5 years or a fine of up to 600 days.

2 - the penalty is imprisonment for two to eight years if:

a) the property loss is of a considerably high value;

b) the agent makes fraud a way of life;

c) the agent takes advantage of the victim's situation of special vulnerability, due to age, disability or illness; or

d) the injured person ends up in a difficult economic situation.

3 - the provisions of paragraphs 2 and 3 of article 206 are correspondingly applicable

4 - paragraph 1 of article 206 applies in the cases of paragraph 1 and paragraphs a) and c) of paragraph 2.

Article 219 - insurance fraud

1 - whoever receives or causes another person to receive a total or partially insured amount:

a) causing or significantly aggravating the result caused by an accident whose risk was covered; or

b) causing, to oneself or another person, injury to physical integrity or worsening the consequences of injury to physical integrity that caused by an accident whose risk is covered;

is punished with a prison sentence of up to 3 years or a fine.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint.

4 - if the property damage caused is:

a) of high value, the agent is punished with a prison sentence of up to 5 years or a fine of up to 600 days;

b) of a considerably high value, the agent is punished with a prison sentence of 2 to 8 years.

5 - the provisions of article 206 are correspondingly applicable.

Article 220 - fraud to obtain food, drinks or services

1 - whoever, with the intention of not paying:

a) if food or drinks are served in an establishment that provides commercial or industrial services;

b) use a room or service at a hotel or similar establishment; or

c) use means of transport or enter any public space knowing that this involves paying a price;

and refusing to resolve the debt incurred will be punished with a prison sentence of up to 6 months or a fine of up to 60 days.

2 - criminal proceedings depend on a complaint.

3 - the provisions of articles 206 and 207 are correspondingly applicable.

Article 221 - IT and communications fraud

1 - whoever, with the intention of obtaining illegitimate enrichment for themselves or a third party, causes financial loss to another person, through interference with the results of data processing, incorrect structuring of a computer program, incorrect or incomplete use of data, use of data without authorization or intervention in any other unauthorized way in the processing, is punishable by imprisonment for up to 3 years or a fine.

2 - the same penalty is applicable to anyone who, with the intention of obtaining an illegitimate benefit for themselves or a third party, causes property damage to others, using programs, electronic devices or other means that, separately or together, are intended to reduce, alter or prevent, totally or partially, the normal operation or exploitation of telecommunications services.

3 - the attempt is punishable.

4 - criminal proceedings depend on a complaint.

5 - if the loss is:

a) of high value, the agent is punished with a prison sentence of up to 5 years or a fine of up to 600 days;

b) of a considerably high value, the agent is punished with a prison sentence of 2 to 8 years.

6 - the provisions of article 206 are correspondingly applicable.

Article 222 - fraud relating to work or employment

1 - whoever, with the intention of obtaining illegitimate enrichment for himself or a third party, causes financial loss to another person, through enticement or promise of work or employment abroad, is punished with a prison sentence of up to 5 years or a fine of up to 600 days.

2 - anyone who, with the intention of obtaining illegitimate enrichment for themselves or a third party, causes property damage to a person residing abroad, through enticement or promise of work or employment in Portugal, is punished with the same penalty.

3 - the provisions of paragraphs 2 and 3 of article 206 and paragraph 2 of article 218 are correspondingly applicable.

Article 223 - extortion

1 - whoever, with the intention of obtaining illegitimate enrichment for himself or for a third party, constrains another person, through violence or threat of serious harm, to a patrimonial disposition that causes, for himself or for another, damage, is punished with a penalty of imprisonment for up to 5 years.

2 - if the threat consists of revealing, through the media, facts that could seriously damage the reputation of the victim or another person, the perpetrator is punished with a prison sentence of 6 months to 5 years. 3 - if the aforementioned requirements are met:

a) in subparagraphs a), f) or g) of no. 2 of article 204, or in subparagraph a) of no. 2 of article 210, the agent is punished with a prison sentence of 3 to 15 years;

b) in paragraph 3 of article 210, the agent is punished with a prison sentence of 8 to 16 years.

4 - the agent is punished with a prison sentence of up to 2 years or a fine of up to 240 days if he obtains, as a guarantee of debt and by abusing another person's situation of need, a document that could give rise to criminal proceedings.

Article 224 - infidelity

1 - whoever, having been entrusted, by law or legal act, with the responsibility of disposing of other people's property interests or of administering or supervising them, causes those interests, intentionally and in serious breach of the duties incumbent upon him, to property damage important is punished with a prison sentence of up to 3 years or a fine.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint.

4 - the provisions of paragraphs 2 and 3 of article 206 and subparagraph a) of paragraph 1 of article 207 are correspondingly applicable.

Article 225 - abuse of warranty card or card, device or payment data

1 - whoever, with the intention of obtaining illegitimate enrichment for themselves or for a third party, uses:

a) warranty card;

b) payment card;

c) any other device, corporeal or intangible, that allows access to a system or payment method;

d) data registered, incorporated or relating to a payment card or any other device, corporeal or intangible, that allows access to the system or payment method; ordering the deposit, transfer, withdrawal or, in any other way, the payment of currency, including written, electronic or virtual, and thus causing property damage to another person, is punished with a prison sentence of up to 3 years or with a fine.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint.

4 - the provisions of articles 206 and 207 are correspondingly applicable

5 - if the loss is:

a) of high value, the agent is punished with a prison sentence of up to 5 years or a fine of up to 600 days;

b) of a considerably high value, the agent is punished with a prison sentence of 2 to 8 years.

6 - in the case provided for in the previous paragraph, the provisions of article 206 are correspondingly applicable.

Article 226 - usury

1 - whoever, with the intention of achieving a patrimonial benefit, for himself or for another person, exploiting a situation of need, psychic anomaly, incapacity, ineptitude, inexperience or weakness of character of the debtor, or a relationship of dependence on the debtor, causes him to forces you to grant or promise, in any form, in your favor or in favor of another person, a pecuniary advantage that is, according to the circumstances of the case, manifestly disproportionate to the consideration, is punished with a prison sentence of up to 2 years or a fine up to 240 days.

2 - the attempt is punishable.

3 - criminal proceedings depend on a complaint.

4 - the agent is punished with a prison sentence of up to 5 years or a fine of up to 600 days if:

a) make usury a way of life;

b) conceal the illegitimate pecuniary advantage by demanding a letter or simulating a contract; or

c) consciously causing, through usury, the ruin of the victim's property.

5 - the penalties referred to in the previous paragraphs are specially mitigated or the act is no longer punishable if the

offender, until the beginning of the trial hearing in the first instance:

- a) waive the delivery of the advantage intended pecuniary benefit;
- b) deliver the monetary excess received, plus the legal fee from the day of receipt; or
- c) modify the deal, in agreement with the other party, in harmony with the rules of good faith.

Chapter IV - crimes against property rights

Article 227 - intentional insolvency

1 - the debtor who, with the intention of harming creditors:

- a) destroy, damage, render useless or cause part of its assets to disappear;
- b) fictitiously diminishing its assets, disguising things or animals, invoking supposed debts, recognizing fictitious credits, inciting third parties to present them, or simulating, in any other way, an asset situation inferior to reality, namely through inaccurate accounting, false balance sheet, destruction or concealment of accounting documents or not organizing accounting despite due date;
- c) artificially create or worsen losses or reduce profits; or
- d) to delay bankruptcy, buy goods on credit, with the aim of selling them or using them in payment at a price significantly lower than the current price; If insolvency occurs and is recognized in court, he is punished with a prison sentence of up to 5 years or a fine of up to 600 days.

2 - the third party who commits any of the acts described in paragraph 1 of this article, with the debtor's knowledge or for his benefit, is punished with the penalty provided for in the previous paragraphs, depending on the case, specially mitigated.

3 - without prejudice to the provisions of article 12, it is punishable under the terms of paragraphs 1 and 2 of this article, if the debtor is a legal person, company or mere de facto association, whoever has actually exercised the respective management or effective management and has committed any of the acts set out in paragraph 1.

Article 227.^o-a - frustration of credits

1 - the debtor who, after delivery of an enforceable sentence, destroys, damages, makes disappear, hides or withholds part of his assets, in order to intentionally frustrate, totally or partially, the satisfaction of another's credit, is punished, if, once the enforcement action has been initiated, it is not possible to fully satisfy the creditor's rights, with a prison sentence of up to 3 years or a fine.

2 - the provisions of paragraphs 2 and 3 of the previous article are correspondingly applicable.

Article 228 - negligent insolvency

1 - the debtor who:

- a) through serious carelessness or imprudence, lavishness or clearly exaggerated expenses, ruinous speculations, or serious negligence in the exercise of its activity, create a state of insolvency; or
- b) being aware of the economic and financial difficulties of your company, do not request any recovery measures in time; If insolvency occurs and is recognized in court, he is punished with a prison sentence of up to one year or a fine of up to 120 days.

2 - the provisions of paragraph 3 of article 227 are correspondingly applicable

Article 229 - favoritism of creditors

1 - the debtor who, knowing his insolvency situation or foreseeing its imminence and with the intention of favoring certain creditors to the detriment of others, resolves debts that are not yet due or resolves them in a manner different from payment in cash or usual amounts, or gives guarantees for his debts to which he was not obligated, is punished with a prison sentence of up to 2 years or a fine of up to 240 days, if insolvency is recognized in court.

2 - the provisions of paragraph 3 of article 227 are correspondingly applicable.

Article 229-a - aggravation

the penalties provided for in no. 1 of article 227.^o, in no. 1 of article 227.^o-a, in no. 1 of article 228.^o and in no. 1 of article 229.^o are increased of a third, in its minimum and maximum limits, if, as a result of the practice of any of the facts described there, credits of a labor nature result in frustration, in the context of executive proceedings or special insolvency proceedings.

Article 230 - disruption of auctions

whoever, with the intention of preventing or harming the results of a judicial auction or other public auction authorized or imposed by law, as well as a competition governed by public law, achieves, through a gift, promise, violence or threat of serious harm, that Anyone who does not bid or compete, or who in any way impairs the freedom of their respective acts, is punished with a prison sentence of up to 2 years or a fine of up to 240 days, if a more serious penalty is not applicable under another provision. Cool.

Article 231 - reception

1 - whoever, with the intention of obtaining, for himself or for another person, a financial advantage, conceals a thing or animal that was obtained by another through a typical illicit act against the property, to be received as a pledge, to be acquired by any title, to be held, conserving, transmitting or contributing to the transmission of it, or in any way ensuring, for oneself or another person,

its possession, is punishable by a prison sentence of up to 5 years or a fine of up to 600 days.

2 - whoever, without previously ensuring its legitimate origin, acquires or receives, in any capacity, a thing or animal that, due to its quality or the condition of the person offering it, or the amount of the proposed price, makes one reasonably suspect that it comes from A typical illicit act against property is punishable by a prison sentence of up to 6 months or a fine of up to 120 days.

3 - the provisions are correspondingly applicable:

a) in article 206; It is

b) in paragraph a) of paragraph 1 of article 207, if the family relationship intervenes between the recipient and the victim of the typical illicit act against property.

4 - if the agent makes reception a way of life, he is punished with a prison sentence of 1 to 8 years.

Article 232 - material assistance

1 - anyone who helps another person to take advantage of the benefit of a thing or animal obtained through a typical illicit act against property is punished with a prison sentence of up to 2 years or a fine of up to 240 days.

2 - the provisions of paragraph 3 of article 231 are correspondingly applicable.

Article 233 - scope of the reception object

The

values

or products directly obtained from them are equated to the things and animals referred to in article 231.

Chapter V - crimes against the public or cooperative sector aggravated by the quality of the agent

Article 234. illegitimate appropriation

1 - whoever, by virtue of the position he or she holds, holds the administration, management or simple capacity to dispose of public or cooperative sector assets, and in any way appropriates them illegitimately or intentionally allows another person to illegitimately appropriate them, is punished with the penalty corresponding to the respective crime increases by one third in its minimum and maximum limits.

2 - the attempt is punishable.

Article 235 - harmful administration

1 - whoever, intentionally violating control standards or economic rules of rational management, causes significant property damage to an economic unit in the public or cooperative sector is punished with a prison sentence of up to 5 years or a fine of up to 600 days.

2 - punishment does not take place if the damage occurs against the agent's well-founded expectations.