

Note on Ministerial Order no. 262/2020, of 6 November, regulating the conditions for the functioning and identification of the different types of local accommodation establishments

Sofia Rodrigues Nunes

Head of the Real Estate, Property Development and Planning and Environmental Law Areas in Portugal
Of counsel, Gómez-Acebo & Pombo

Mercedes Abreu Rocha

Trainee Lawyer, Gómez-Acebo & Pombo

Definition of the operating requirements and identification of the different types of accommodation establishments - general requirements for all establishments and specific requirements for each type.

Published on 6 November 2020 in the Official Journal of Portugal (“Diário da República”), Ministerial Order no. 262/2020, regulating the functioning and identification of the different types of local accommodation establishments, in accordance with the provision added in Article 13(5) of Act no. 62/2018 of 22 August (which was the 2nd amendment to the rules governing the operation of local accommodation establishments, set out in Decree-Law no. 128/2014, of 29.08).

The aforementioned Ministerial Order defines various requirements common to all the local accommodations establishments, as well as several specific requirements applicable to each type, of which we highlight the following:

- 1. Common requirements** – obligation to provide reception and information services, appropriate equipment, in good condition, and to have adequate hygiene and cleanliness conditions, to have a nameplate at the entrance of the establishment, compliance with rules regarding sanitary facilities and duty to privilege a series of conditions of environmental sustainability.

- 2. Specific requirements** - rules regarding minimum areas in the rooms and common areas, for hosting establishments and hostels; for the latter, rules regarding the number of dorms and beds also apply; for houses and apartments, it is mentioned that they must comply with the fire safety rules, whenever they have a capacity of more than 10 users.

Finally, we note that this Ministerial Order comes into force 90 days after its publication. However, a period of 12 months is provided for local accommodation establishments that are already registered in the National Registry of Local Accommodations to adapt to the new operating requirements.