











# Portugal

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>92.5</b>	<b>50.8</b>	<b>75.0</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Portugal, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Lisbon). The scores for Portugal are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	50.0	100.0	100.0	100.0	100.0	100.0	75.0	100.0	100.0	100.0
WBL 2.0 Supportive frameworks score	25.0	66.7	33.3	50.0	100.0	66.7	50.0	33.3	33.3	50.0
WBL 2.0 Expert opinions score	62.5	100.0	62.5	31.3	87.5	93.8	50.0	62.5	100.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Portugal (92.5 out of 100.0) is higher than the global average (64.2) and higher than the High income: OECD regional average (84.9). When it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, constraints on women starting and running a business, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Portugal obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Portugal is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Portugal may wish to consider adopting comprehensive legislation on sexual harassment and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Portugal (50.8 out of 100.0) is higher than the global average (39.5) and lower than the High income: OECD regional average (68.1). When it comes to supportive frameworks related to marriage, Portugal obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Portugal is on the indicator

measuring supportive frameworks affecting women's safety. To improve on the Safety indicator, Portugal may wish to consider developing comprehensive mechanisms to address violence against women, putting in place special procedures for cases of sexual harassment, providing an annual budgetary allocation towards violence against women risk mitigation and prevention and response programs.

The **WBL 2.0 expert opinions score** for Portugal (75.0 out of 100.0) is higher than the global average (65.7) and lower than the High income: OECD regional average (82.9). When it comes to expert opinions on freedom of movement, expert opinions on women's property and inheritance and expert opinions on women's pensions, Portugal obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Portugal is on the indicator measuring expert opinions on women's pay.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	No	No applicable provisions could be located
Does the law address domestic violence?	Yes	Penal Code, Arts. 152 and 164; Domestic Violence Law (No. 112/2009), Arts. 2(a) and 31
Does the law address femicide?	Yes	Penal Code, Art. 132
<b>Mobility</b>		
Can a woman choose where to live in the same way as a man?	Yes	Civil Code, Art. 1673
Can a woman travel internationally in the same way as a man?	Yes	Decree-Law No. 83/2000, Arts. 14 and 16
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Law No. 37/81, Arts. 1(1) and 3(1)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Civil Code, Art. 1677-D
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Labor Code, Art. 24
Does the law prohibit discrimination in employment based on gender?	Yes	Labor Code, Art. 30
Does the law allow employees to request flexible work?	Yes	Labor Code, Arts. 56 and 165
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Labor Code, Art. 31
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Civil Code, Art. 1671(1)
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Civil Code, Arts. 1671 and 1674
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Code, Art. 1781
Does a woman have the same rights to remarry as a man?	Yes	Law No. 85/2019, Art. 2; Civil Code, Art. 1605
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Code, Arts. 40 and 41(2)

Are leave benefits for mothers paid solely by the government?	Yes	Statutory Decree No. 91, Arts. 1, 2 and 30
Is paid leave available to fathers?	Yes	Labor Code, Arts. 40(3) and 43(1)
Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 63
<b>Childcare</b>		
Does the law establish the provision of center-based childcare services?	Yes	Ordinance No. 262/2011, Arts. 1 and 3
Does the law establish any form of support for families for childcare services?	Yes	Ordinance No. 1487/2008, Arts. 4 and 8; Law 02/2022, Art. 2; Law No. 82-E/2014, Art. 78(D)
Does the law establish any form of support for nonstate childcare providers?	Yes	Decree-Law No. 108/2008, Arts. 44(f) and 62(6)(g); Ordinance No. 262/2011, Art. 1; Law Decree 26 of 1999, Arts. 1 and 10; Income Tax Code, Annex, Chapter III, Art. 43
Does the law establish quality standards for the provision of center-based childcare services?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Code, Art. 1680
Does the law prohibit discrimination in access to credit based on gender?	Yes	Law No. 14/2008, Arts. 2-4
Does the law prescribe a gender quota for corporate boards?	Yes	Law No. 62/2017, Art. 5
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Public Procurement Code, Arts. 1-A(2) and 42(6)
<b>Assets</b>		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Civil Code, Arts. 1671(1), 1678 and 1682-B; Law No. 31/2014, Arts. 4(1) and 13
Do sons and daughters have equal rights to inherit assets?	Yes	Civil Code, Art. 2133
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Art. 2133
Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Art. 1730
<b>Pension</b>		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	Ordinance No. 53/2021, Art. 1
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	Decree-Law No. 8/2015, Art. 4; Decree-Law No. 10/2016, Arts. 1 and 3
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Decree Law No. 91, Art. 22

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	Commission for Citizenship and Gender Equality
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	No	Insufficient evidence located
<b>Mobility</b>		

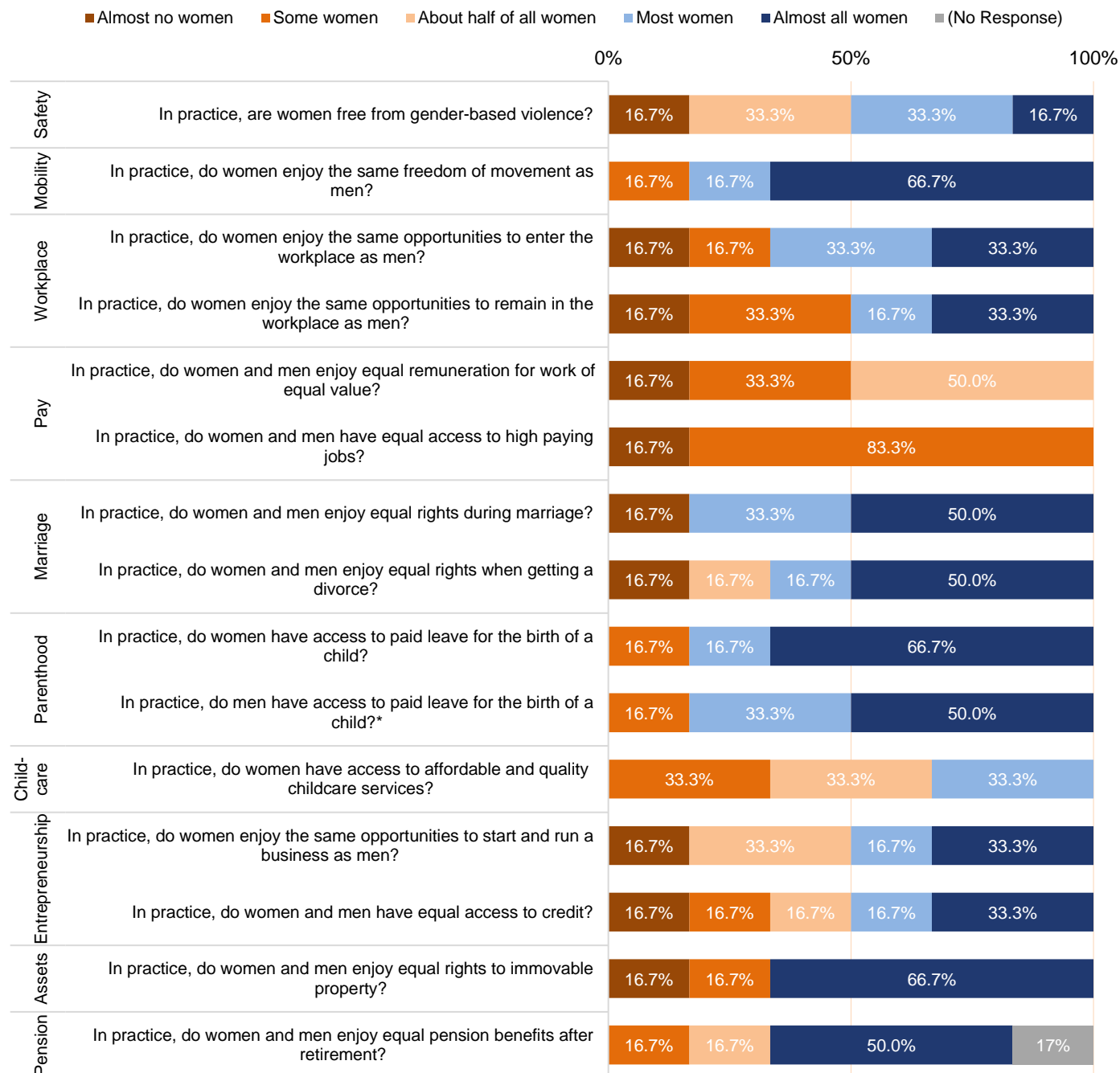
Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Does a specialized body receive complaints about gender discrimination in employment?	Yes	Decree-Law No. 76/2012, Arts. 1-2 ; Decree Law No. 1/2012, Art. 2(p)
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
<b>Pay</b>		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	Yes	Law No. 60/2018 Arts. 6, 8, 9 and 12
Have sex-disaggregated data on employment in different industries or sectors been published?	No	Insufficient evidence located
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Civil Code, Arts. 1775 and 1776; Decree-Law 272/2001, Arts. 11 and 12
Are there specialized family courts?	Yes	Law 62/2013, Art. 81(3-g); Decree Law 49/2014, Art. 84(1-h)
Is legal aid available for family law disputes?	Yes	Legal Aid
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Statutory Decree No. 91, Art. 66; Social Security Website
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	Labor Code, Art. 40(3)
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the Government of Portugal's Social Security Institute
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Official Website of Social Services of Public Administration (SSAP); Ordinance 198/2022, Art. 9; Ordinance 305/2022, Art. 7
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	Yes	Statistics Portugal; Commission for Citizenship and Gender Equality
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	No	Insufficient evidence located
Does a current national government plan or strategy focus on women's access to financial services?	No	Insufficient evidence located
<b>Assets</b>		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Civil Code, Arts. 1678 (2-c) and 1717
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
<b>Pension</b>		



Are incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Law No. 110/2009, Art. 23; Code of Administrative Procedure, Art. 147

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.