

Portugal

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Lisbon). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Portugal scores 97.5 out of 100**. The overall score for Portugal is higher than the regional average observed across High income (OECD) countries (94.7).

Portugal - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, laws affecting women's work after having children, constraints on women's starting and running a business, gender differences in property and inheritance, and laws affecting the size of a women's pension, Portugal gets a perfect score.

Areas for Improvement

However, when it comes to constraints related to marriage, Portugal could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Portugal is on the indicator related to constraints related to marriage (the WBL2020 Marriage Indicator). To improve on the Marriage Indicator, Portugal may wish to consider giving women the same rights to remarry as men.

Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Civil Code, Art. 1673
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Decree-Law No. 83/2000 of 11 May, Arts. 14 and 16; Passport application procedures
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Civil Code, Art. 1677-D
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Code, Art. 30
	Is there legislation on sexual harassment in employment?	Yes	Labor Code, Law No. 7 of 2009, Art. 29
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> Labor Code, Law No. 7 of 2009, Arts. 28 and 29(4)
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Labor Code, Art. 31
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	Yes	Mining: No restrictions could be located Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
Marriage	Can a woman be head of household in the same way as a man?	Yes	Civil Code, Arts. 1671 and 1674
	Is there legislation specifically addressing domestic violence?	Yes	Penal Code, Art. 152; Law No. 112/2009
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	No	Civil Code, Art. 1605
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	No applicable provisions could be located
	Does the government pay 100% of maternity leave benefits?	Yes	Statutory Decree No. 91, Arts. 1, 2 and 30
	Is there paid paternity leave?	Yes	Labor Code, Art. 43(1)
	Is there paid parental leave?	Yes	Labor Code, Art. 40
	Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 63
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Law No. 14/2008 of 12 March as Amended by Law No. 9/2015 of 11 February, Arts. 2-4
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	Civil Code, Art. 1680
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Civil Code, Art. 1671(1)
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Arts. 2133(1)(a), 2136, 2139 and 2157
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Art. 2133
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Civil Code, Arts. 1678 and 1682-B
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Art. 1730
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Portaria Núm. 50, Art. 1 Men: Portaria Núm. 50, Art. 1
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: Decree Law n. 10, Arts. 1 and 3; Decree Law n. 8, Art. 4 Men: Decree Law n. 10, Arts. 1 and 3; Decree Law n. 8, Art. 4
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Decree Law No. 91, Art. 22