



A new environmental commitment

Portugal has transposed EU Directive 2016/2284 on the reduction of certain atmospheric pollutants.

The amendments to the Gothenburg Protocol dated may 4th 2012 have set the tone for new commitments regarding environmental matters, in particular for the reduction of anthropogenic air emissions.

Being a party to the Gothenburg Protocol, the European Union ("EU") must impose to the State-Members measures to reduce emissions of air pollutants between 2020 and 2029 in accordance to EU Directive 2016/2284 (the "National Emissions Ceilings Directive").

This EU Directive is now being transposed by the Portuguese State through Decree-Law no. 84/2018, of October 23, that provides for

- (i) Mandatory reductions of Sulphur dioxide, nitrogen oxides, non-methane volatile organic compounds; ammonia; and fine particulate matter;
- (ii) The creation of National Air Pollution Control Program (*Plano Nacional de Controlo da Poluição Atmosférica*), by the Portuguese Environment Agency (*Agência Portuguesa do Ambiente*), which must be in accordance to the *Guidance on the elaboration and implementation of the initial National Air Pollution Control Programmes* under the new National Emissions Ceilings Directive. The Program shall consider measures applicable to all relevant sectors, including agriculture, energy, industry and road transport, among others and guarantee that they're in accordance to other existent environmental programs;
- (iii) An obligation to update this Program every four years;
- (iv) The prohibition of the use of ammonium carbonate fertilizers, being that such use constitutes a serious administrative offence.

This new regulation becomes effective on October 28th but is not applicable to the autonomous regions of Madeira and Azores.

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