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MINISTÉRIO DA JUSTIÇA

POLÍCIA JUDICIÁRIA

UNIDADE DE COOPERAÇÃO INTERNACIONAL

Decree-Law No 137/2019 of 13 September 2019

New organisational structure of the Polícia Judiciária

The programme of the 21st Constitutional Government assumes, as a priority of its strategic aim in terms of internal security and criminal policy, the need to increase the prevention and control of serious, violent, and highly organised crime, as well as the empowerment of the Polícia Judiciária (PJ) with a view to the speedy clarification of such crime.

The matrix of the PJ, as the police of the justice system, is based on its primary mission of assisting the judicial and prosecuting authorities, in particular the prosecutors of the Public Prosecution Service (MP), in investigations of the most serious, organised, and complex crime, therefore calling for a change in the legal framework governing its organisation.

More than 19 years after the entry into force of Decree-Law No 275-A/2000 of 9 November 2000, approving the organisational structure of the PJ and the statutory rules governing the special corps of that police, and more than 10 years since Act No 37/2008 of 6 August 2008, aiming to adapt the structure to emerging organisational and operational requirements and which has since been complemented by Decree-Law No 42/2009 of 12 February 2009, defining the powers of the core units of the PJ, reality shows a change that needs to be addressed.

In fact, the last decades have seen profound social and economic changes that go beyond the territorial barriers of the State, with unequivocal repercussions as to the way in which criminal acts are committed. The danger posed today by the phenomenon of terrorism and the constant change in transnational organised crime, which is becoming increasingly sophisticated, therefore evokes realities that call for an appropriate and effective response by the State.

In the current criminological context of imminent danger to essential legal assets worthy of criminal protection, and in view of the unpredictability of the actions of criminal and terrorist organisations, it is essential that the State secures the purpose of strengthening the PJ as to its primarily recognised role in the prevention and investigation of the most serious forms of crime, as is the case with transnational organised crime and



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cybercrime, due to the sophistication in criminal action with resort to new and complex technologies that are not limited to the geographical area of the national territory.

The legal framework governing the structure of the PJ, scattered over a number of pieces of legislation, justifies the organisational redefinition of the PJ, providing it internally with more interactive and efficient operational units, in order to enhance the contribution of this police in the scope of its primary intervention in the judicial and prosecuting system, to which the PJ is intimately linked, as well as within the internal security system in which it is integrated. Thus, the mission and tasks of the PJ are deepened, in view of the current legal and institutional framework in terms of criminal investigation and internal security, with the resulting anticipated organisation of powers conferred by the aforementioned systems.

The challenges faced by the Portuguese society today are based on the strong conviction that a specially prepared, technically and scientifically robust criminal police is essential, backed by an organisational structure founded on the idea of a greater interconnection between the various units, making it clear that the operational core structure is based on units integrating the criminal investigation area. It is also important to note that the performance of those noticeably operational units is complemented by units that, sharing the same nature, perform the essential task of providing technical support to crime prevention and investigation, thus establishing a greater operational interconnection.

The scientific autonomy of those units performing specialised support tasks, of technical and scientific nature, to criminal investigation is also strengthened. This autonomy results not only from their formal confirmation, but, above all, from the definition of their powers, taking into account the highly technical and scientific nature of the tasks they are legally entrusted with for carrying out expertise and examinations, as is the case with the Forensic Science Laboratory, the Financial and Accounting Expertise Unit and the now established Technological and Computer Expertise Unit.

At the same time, the role of other organisational units has been redefined, integrating them in the management and organisational development area and in the management control, performance evaluation, and inspection and disciplinary control area, granting these areas powers that reveal a suitability to modern organisational paradigms of the State and an improvement of management and evaluation instruments, as a fundamental step towards providing the PJ with mechanisms to be on the level of a modern criminal investigation police capable of responding effectively, also from an



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organisational point of view, to the arising challenges. The Services Directorate for Innovation and Development and the Services Directorate for Planning, Quality, and Evaluation are examples thereof, together with the traditional management units for both property and human resources.

While continuing to recognise the important role of the Institute for Judiciary Police and Criminal Sciences, maintaining it as a central unit in the dependency of the national director, its performance in terms of specific training of the PJ staff and the consolidation of technical and scientific knowledge in criminal investigation and other related areas, together with the driving force that it can establish in the deepening of knowledge, as regards the exchange with other similar or academic entities, as well as in the promotion and disclosure of multidisciplinary scientific research, must be stressed.

Similarly, the status of the managerial staff, as well as of the non-managerial staff with coordinating or heading tasks, is also enshrined, as far as their powers are closely linked to the new organisational model of the PJ.

Thus:

Pursuant to Article 198 (1) (a) of the Constitution, the Government decrees the following:



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TITLE I

General provisions

CHAPTER I

Nature, mission and tasks

Article 1

Nature

1. The Polícia Judiciária, abbreviated as PJ, is a higher criminal police force, hierarchically positioned under the member of the Government responsible for the area of justice, and supervised in accordance with the law.
2. The PJ is a central service of the direct State administration, endowed with administrative autonomy.

Article 2

Mission and tasks

1. The PJ shall have the mission of assisting the judicial and prosecuting authorities in criminal investigations, specifically entrusted to the PJ by the Organisation of Criminal Investigation Act or assigned by the competent judicial and prosecuting authorities.
2. The PJ shall pursue the following tasks:
 - (a) develop and promote actions for crime prevention, detection, and investigation within the assigned powers or entrusted by the Internal Security Act, by the Outline Law on Criminal Policy, and by the national strategies defining the objectives, priorities, and guidelines of criminal policy; and
 - (b) perform, while official entity, expertise and examinations.

Article 3

Assistance to the judicial and prosecuting authorities

1. The PJ shall assist the judicial and prosecuting authorities in proceedings



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concerning criminal offences, the detection or investigation of which lies within the exclusive powers of the PJ, or when entrusted by the judicial or prosecuting authorities, as well as, in any procedural stage, whenever it is necessary to take actions requiring special technical means or knowledge.

2. For the purpose of the preceding paragraph, the PJ shall act in the proceedings under the direction of and operationally subject to the judicial and prosecuting authorities, without prejudice to the respective hierarchical organisation and technical and tactical autonomy.

Article 4

Crime prevention and detection

1. As regards crime prevention and detection, the PJ shall:
 - (a) promote and conduct actions intended to encourage general prevention and reduction of the number of crime victims, motivating citizens to take precautionary measures and reduce actions and situations which are likely to facilitate or precipitate criminal behaviour;
 - (b) take appropriate actions with a view to clarifying any given situation and collecting evidence; and
 - (c) prepare prospective analyses about criminal phenomena within the powers of the PJ.
2. Within the field of crime prevention, the PJ shall be engaged in detecting and deterring situations which may lead to criminal offences, namely by inspecting and conducting surveillance on any places likely to promote the commission of criminal acts, without prejudice to the tasks assigned to other criminal police bodies.
3. While performing duties as referred to in the preceding paragraphs, the PJ shall have access to any information required for characterising, identifying and locating said activities and may, furthermore, conduct any surveillance and request persons to disclose their identity resorting, if necessary, to any and all image or sound recording techniques or equipment, as well as conduct searches pursuant to the provisions set out in the Code of Criminal Procedure and additional legislation.
4. For the purpose of preventing the financing of terrorism, money laundering and organised crime, the owners, chief executives, managers, directors, or any other



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persons responsible for physical or electronic sites and establishments where antiques, sacred art, works of art, seized goods, jewellery or gold work are exhibited, kept, manufactured, processed, restored, or traded, shall be obliged to submit, fortnightly, to the unit of the PJ with territorial jurisdiction, a full list of the transactions carried out, according to the specific model provided to them in digital or paper format, with identification of the respective parties and objects traded, including those that have been received for sale or exchange, upon request or following the order of others.

5. The obligation referred to in the previous paragraph may be extended to any person operating mere physical or electronic sites in which the advertising or transactions mentioned take place.
6. Insurance undertakings shall communicate, until the 5th day of the following month, to the unit of the PJ with territorial jurisdiction, any stocks or sales of salvage vehicles carried out, indicating, as appropriate, the identity of the buyer, sale price, and identification details of the vehicle to which they relate.
7. The objects acquired by the establishments and sites mentioned in paragraph 4 may not be modified or disposed of before 20 days have elapsed from the delivery of the lists referred to in paragraphs 4 and 6.
8. The violation of the provisions of paragraphs 4 to 7 shall be considered an administrative offence, punishable with a fine of EUR 2,600.00 up to EUR 3,700.00; in case of negligence, the maximum and minimum limits shall be reduced to half.
9. The enforcement of the fine referred to in the previous paragraph shall fall within the powers of the national director, who shall specify the unit in charge of the respective administrative offence proceeding.

Article 5

Powers regarding criminal investigation

1. The powers of the PJ regarding criminal investigation shall be set out in this decree-law and in the Organisation of Criminal Investigation Act.
2. The PJ shall furthermore:
 - (a) ensure the operation of the INTERPOL national bureau and the EUROPOL



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national unit for the purpose of information sharing, pursuant to Article 12 of the Organisation of Criminal Investigation Act, approved by Act No 49/2008 of 27 August 2008, as amended from time to time, and to Article 23-A of Act No 53/2008 of 29 August 2008, as amended from time to time;

- (b) ensure the implementation of the control of the communications intercepting system, in accordance with the provisions of Article 27 of Act No 53/2008 of 8 August 2008, as amended from time to time.

Article 6

Powers regarding administrative offences

The PJ shall have powers regarding administrative offences cases provided for by law.

Article 7

International police cooperation

1. The powers of the PJ in matters of international police cooperation shall be carried out in compliance with the legal framework of competences of the Single Point of Contact for International Police Cooperation (SPOC-IPC).
2. Within the framework of international police cooperation instruments, the PJ may establish cooperative relations in its exclusive areas of intervention.

CHAPTER II

Criminal police authorities and procedural powers

Article 8

Criminal police authorities

1. Pursuant to and for the purposes of the Code of Criminal Procedure, the following shall be deemed criminal police authorities:
 - (a) national director;
 - (b) deputy national directors;



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- (c) directors of national units;
 - (d) directors of directorates;
 - (e) coordinator of the Asset Recovery Office;
 - (f) assistant directors of directorates;
 - (g) criminal investigation senior coordinators;
 - (h) criminal investigation coordinators;
 - (i) chief inspectors; and
 - (j) inspectors, when formally appointed to act as heads of squads, pursuant to Article 18 (10).
2. The criminal police authorities referred to in the previous paragraph shall also be deemed police authorities under the Internal Security Act.
 3. In compliance with legal provisions, criminal investigation staff not mentioned in paragraph 1 may verify the identity of any person.

Article 9

Procedural powers

1. The criminal police authorities mentioned in paragraph 1 of the preceding article shall, furthermore, have the special power, within the scope of a decision on general delegation of criminal investigation powers, to order:
 - (a) expertise to be carried out by official bodies, apart from expertise on psychiatric and personality questions, and on forensic autopsies;
 - (b) body searches and searches of premises to be conducted, apart from house searches and searches undertaken in a lawyer's office, a medical practice, a hospital or a bank;
 - (c) seizures, apart from seizures of correspondence or undertaken in a lawyer's office, a medical practice, a hospital or a bank;
 - (d) arrests other than *in flagrante delicto*, in accordance with the criminal procedural law;
 - (e) the conveyance of a person with psychic anomaly to an official mental health service, as provided for in the Mental Health Act, whenever there is imminent



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danger for legal assets of significant value, belonging to that person or to third parties, of personal or property nature, namely due to the acute deterioration of the person's state of health, whenever it is not possible, given the situation of urgency and danger in delay, to await the judicial decision; and

- (f) searches in a computer system, as defined in Article 2 of Act No 109/2009 of 15 September 2009, whenever, given the situation of urgency and danger in delay, it is not possible to await the decision of the judicial or prosecuting authority.
2. The performance of any of the acts provided for in the preceding paragraph shall be subject to the procedures set out in the Code of Criminal Procedure and must be immediately communicated to the judicial or prosecuting authority in charge of presiding over the case, for the purposes and under the terms of the criminal procedural law.
3. The judicial or prosecuting authority in charge of presiding over the case may, at any moment, limit the exercise of or recover the powers provided for in paragraph 1, pursuant to the Organisation of Criminal Investigation Act.

CHAPTER III

Rights, duties and other operational prerogatives

Article 10

Criminal intelligence system

1. The PJ shall have its own national criminal intelligence system aimed at the processing of information, to be regulated by separate legislation, as well as its dissemination, and shall ensure its liaison and interoperability with the other criminal intelligence systems legally provided for, namely with the Integrated Criminal Intelligence Platform under the terms and for the purposes of Act No 73/2009 of 12 August 2009, as amended from time to time.
2. Without prejudice to the provisions of this decree-law and the legal regime on personal data protection, the investigation and professional secrecy regimes shall apply to information processed from the criminal intelligence system of the PJ.



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Article 11

Right of access to information

1. The PJ shall access directly any information regarding civil and criminal identification kept on data storage media of civil and criminal identification services, and shall provide mandatory cooperation as to the analysis of applications for the automatic processing of information relevant for crime prevention and investigation, whenever carried out by the public institute for financial management and equipment of the justice service (IGFEJ, I.P.).
2. Within the scope of its mission, the PJ shall access other national databases, the content of which is directly included within the limits of its powers as regards crime prevention and investigation, according to the terms to be regulated by order of the members of Government responsible for the respective areas of government, without prejudice to the provisions of Act No 73/2009 of 12 August 2009, as amended from time to time.
3. Pursuant to the applicable rules and procedures, the PJ shall also access any information of criminal relevance kept on computer records belonging to other national and international bodies, through the conclusion of protocols.

Article 12

Duty of cooperation

1. The PJ shall be subject to the reciprocal duty of cooperation with other entities and bodies performing crime prevention, detection, and prosecution tasks under the terms of Article 10 of Act 49/2008 of 27 August 2008, as amended from time to time.
2. All persons, whether natural or legal, public or private, shall have the duty to cooperate with the PJ, whenever they are justifiably asked to do so, without prejudice to the applicable secrecy regimes.
3. Persons and bodies performing surveillance, protection, and security tasks with regard to public or private persons, goods, and premises shall have a special duty of cooperation with the PJ.



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Article 13

Duty to appear

1. Any person, when duly notified or summoned by the PJ, shall have the duty to appear on the date, time, and place set, subject to the sanctions provided for by the criminal procedural law, with the exception of the situations set out by law or by an international treaty.
2. In case of urgency, the notification or summons mentioned in paragraph 1 may be served by any means intended to inform of the fact, namely by personal, telephone or electronic contact.
3. In the case mentioned in the previous paragraph, the authority serving the notification or summons shall identify itself and inform the notified person about all elements allowing the identification of the action the summons is aimed at, and shall record in the respective file the means used.
4. Where the notified or summoned person needs to travel to a site located in a district different from where the person lives, works, or is, the PJ shall provide upon request the necessary means of transport and assistance as appropriate.

Article 14

Use of official vehicles during operations

1. Official PJ vehicles, on urgent police mission, shall be exempted from normal inspection rules of the traffic regulatory authority.
2. PJ vehicles intended for operational service shall be duly equipped with audible and visual warning devices appropriate to signal the urgency of the journey.
3. Within the scope of road inspections carried out by a traffic regulatory authority, vehicles assigned to criminal investigation in the circumstances referred to in the preceding paragraphs shall be briefly identified by means of a distinctive card assigned to the relevant vehicle, clearly relating it to the PJ and indicating the number plate and the service it belongs to.
4. In the case referred to in the previous paragraph, the driver shall be identified by means of a badge, pass or other distinctive identification card, specifying the



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position or rank and the prerogatives inherent to the performance of the driver's duties, and the road control authority shall draw up a report of the event, allowing the immediate continuation of the ongoing police mission.

5. After the brief identification referred to in the previous paragraphs, the road control authority shall facilitate the immediate continuation of the ongoing police mission, under penalty of criminal or disciplinary responsibility, as applicable.

Article 15

Special provisions regarding the organisational units

The PJ shall ensure the security and operability of its structure, as well as the capacity to respond within the criminal investigation and internal security systems, in particular:

- (a) by implementing special measures to prevent and contain risks, namely through the use of video-surveillance systems, in accordance with the purposes set out in Article 1 and Article 2 (1) (b), (c) and (d) of Act No 1/2005 of 10 January 2005;
- (b) by imposing restrictions on the movement of persons:
 - i) inside the premises of the PJ, as defined by the national director;
 - ii) beyond the premises of the PJ, pursuant to the Internal Security Act; and
- (c) by limiting road traffic on urban roads neighbouring the premises of the PJ, in accordance with the Internal Security Act.

Article 16

Objects accruing to the Polícia Judiciária

Objects seized by the PJ and later forfeited to the State shall be allocated to the PJ, pursuant to Decree-Law No 11/2007 of 19 January 2007.

TITLE II

Structure, bodies and services

CHAPTER I



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General provisions

Article 17

Type of internal organisation

1. The internal organisation of the PJ's services shall follow the hierarchical structure model and may integrate flexible organisational units.
2. Without prejudice to the provisions of the preceding paragraph, in the areas of criminal investigation and technical support to criminal investigation, whenever justified and in the context of exceptional circumstances and limited in time, the national director may, by reasoned order, set up project or multidisciplinary teams, being their maximum number and the salary level of the respective team leaders fixed by order of the members of the Government responsible for the areas of finance and justice.
3. The PJ shall comprise services, central units, and deconcentrated units.

Article 18

Organisational structure of the PJ

1. The core internal organisation of the PJ shall comprise the criminal investigation and the technical support to criminal investigation areas, the management and organisational development area, and the management control, performance evaluation, and inspection and disciplinary control area, and shall incorporate the services and units referred to in the following paragraphs.
2. Central services directly dependent on the national director shall be:
 - (a) the Institute for Judiciary Police and Criminal Sciences (IPJCC);
 - (b) the Financial Intelligence Unit (FIU);
 - (c) the Asset Recovery Office (ARO); and
 - (d) the Legal Advice Office (LAO).
3. Central criminal investigation units shall be:
 - (a) the National Counter-Terrorism Unit (UNCT);
 - (b) the National Anti-Corruption Unit (UNCC);



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- (c) the National Unit for Fighting Drug Trafficking (UNCTE); and
 - (d) the National Unit for Fighting Cybercrime and Technological Crime (UNC3T).
4. Central units shall furthermore be:
- (a) offering technical support to criminal investigation:
 - (i) the Prevention and Technological Support Unit (UPAT);
 - (ii) the Criminal Intelligence Unit (UIC);
 - (iii) the International Cooperation Unit (UCI);
 - (iv) the Communications and Information Systems Unit (UCSI); and
 - (v) the Arms and Security Unit (UAS);
 - (b) offering specialised technical and scientific support:
 - (i) the Forensic Science Laboratory (LPC);
 - (ii) the Financial and Accounting Expertise Unit (UPFC); and
 - (iii) the Technological and Computer Expertise Unit (UPTI).
5. The directorates, the criminal investigation departments, and the local criminal investigation units provided for in the next Article shall be deconcentrated criminal investigation units.
6. Central units of the management and organisational development area shall be:
- (a) the Services Directorate for Financial and Property Management (DS-GFP);
 - (b) the Services Directorate for Staff Management and Administration (DS-GAP); and
 - (c) the Services Directorate for Innovation and Development (DS-ID).
7. Central units of the management control, performance evaluation, and inspection and disciplinary control area shall be:
- (a) the Services Directorate for Planning, Quality and Evaluation (DS-PQA); and
 - (b) the Services Directorate for Inspection and Disciplinary action (DS-DI).
8. In the central services or units, as well as in the deconcentrated services or units, which are part of the various areas of intervention of the PJ, flexible units may be set up, named divisions, sectors and subsectors, their maximum number being



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defined by order of the member of the Government responsible for the area of justice.

9. Core criminal investigation units shall be organised in sections and squads, not subject to the definition of the number of flexible units, and shall be directed and headed by staff belonging to the investigation career with the rank of criminal investigation coordinator and chief inspector, respectively, without prejudice to the provisions of the following paragraph.
10. Whenever it is not possible to fill the positions for directing and heading the sections and squads, under the terms of the previous number, those may, by order of the national director, be filled by a worker of the rank immediately below, with proven technical skills, and after prior assessment by the immediate superior and the director of the organisational unit, for a period of one year, renewable for equal periods up to a maximum limit of three.
11. The headquarters of the PJ units, as well as their geographical area of intervention, shall be defined by order of the member of the Government responsible for the area of justice, upon proposal of the national director.

Article 19

Deconcentrated organisational criminal investigation units

1. Deconcentrated criminal investigation units shall be:
 - (a) the North Directorate;
 - (b) the Centre Directorate;
 - (c) the Lisbon and Tagus Valley Directorate; and
 - (d) the South Directorate.
2. Without prejudice to paragraph 7, the directorates shall also be made up of the criminal investigation departments and the local criminal investigation units referred to in the following paragraphs.
3. In the North Directorate:
 - (a) the Braga Criminal Investigation Department; and
 - (b) the Vila Real Criminal Investigation Department.



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4. In the Centre Directorate:
 - (a) the Aveiro Criminal Investigation Department;
 - (b) the Guarda Criminal Investigation Department; and
 - (c) the Leiria Criminal Investigation Department.
5. In the Lisbon and Tagus Valley Directorate:
 - (a) the Setúbal Criminal Investigation Department; and
 - (b) the Évora Local Criminal Investigation Unit.
6. In the South Directorate: the Portimão Criminal Investigation Department.
7. The PJ shall furthermore comprise the Madeira Criminal Investigation Department and the Azores Criminal Investigation Department, which shall operate in the dependency of the National Directorate.
8. Other local criminal investigation units may be set up by order of the members of the Government responsible for the areas of finance and justice, based on a reasoned proposal by the national director.

Article 20

Branches of services and central units

1. By order of the national director, services and central units may have branches or operational premises, as appropriate, off-site the respective headquarters, being organisationally incorporated in those.
2. The branches shall mandatorily report to the respective services, central, or national criminal investigation units on the start of investigations in their area of territorial intervention, in accordance to the terms to be laid down by the national director.
3. The tasks that operationally shall be fulfilled by the branches, in the geographical area of intervention of the directorates and criminal investigation departments, are coordinated by the directors of these units, in liaison with the director of the respective National Unit, in observance of the rules laid down by the national director.



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CHAPTER II

Bodies, organisational units, and powers

SECTION I

Bodies of the National Directorate and powers

Article 21

Bodies of the National Directorate

The National Directorate shall comprise:

- (a) the national director;
- (b) the deputy national directors, who shall assist the national director; and
- (c) the Polícia Judiciária's High Council, a body in support of the national director, and with an advisory role.

Article 22

National director

1. Notwithstanding the first-degree powers of senior management positions or those conferred by law, or delegated or further delegated, the national director shall:
 - (a) represent the PJ, particularly with internal security bodies;
 - (b) chair the Polícia Judiciária's High Council;
 - (c) ensure superior overall management of the PJ, in particular in strategic, operational, financial, and human resources management areas, including training and development;
 - (d) ensure the liaison of the PJ with the security forces and services, the judicial and prosecuting authorities, customs, and other services responsible for preventing and prosecuting crime, as well as with the armed forces;
 - (e) present to the member of the Government responsible for the area of justice proposals and measures aimed at increasing the efficiency in the fight against crime, namely protocols for reciprocal cooperation and joint action plans with the other criminal police bodies;



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- (f) issue directives, orders, and instructions to pursue strategic and management objectives;
- (g) approve the annual activities plan and report, and submit it to the member of the Government responsible for the area of justice;
- (h) assign or redistribute criminal investigation powers between organisational units and reallocate ongoing investigation procedures;
- (i) define the appropriations for staffing the organisational units and decide on the placement and movement of workers in accordance with legal and regulatory standards;
- (j) exercise the powers and disciplinary authority provided for in the general law and in the respective Disciplinary Regulations of the PJ;
- (k) order the performance of inspections and audits to the bodies and services of the PJ;
- (l) grant licenses and permits and exercise any administrative powers as provided for by law;
- (m) approve partnership projects with national or foreign organisations of interest to the PJ, with the prior authorization of the member of the Government responsible for the area of justice;
- (n) propose the conclusion of protocols with external entities, with interest to the fulfilment of the tasks of the PJ, and submit them for authorization to the member of the Government responsible for the area of justice;
- (o) propose to the member of the Government responsible for the area of justice the approval of the Evaluation and Performance Regulations of workers and services, as well as of the Internal Regulations of the Polícia Judiciária's High Council;
- (p) issue information and opinions requested by the member of the Government responsible for the area of justice;
- (q) define the scheme for replacement by the deputy national directors whenever absent or impeded;
- (r) create and extinguish flexible organisational units;
- (s) impose fines in administrative offence procedures the investigation of which



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falls within the tasks of the PJ;

- (t) define the communication and image policy of the PJ;
 - (u) approve the procedures as regards the processing of classified information;
 - (v) approve the procedures aimed at guaranteeing the confidentiality and security of the information systems.
2. The national director may delegate the powers held to all levels of managerial staff, unless expressly proscribed by law.

Article 23

National director's support office

1. The national director shall be supported by an office composed of advisory and secretarial staff, up to a maximum number of two and three, respectively.
2. The staff assigned to the office shall be responsible for providing advice and secretarial support to the national director and the deputy national directors for the performance of their tasks, in particular in the following areas:
 - (a) management of the institutional image and communication of the PJ;
 - (b) information, public relations, and protocol;
 - (c) media relations; and
 - (d) administrative support.
3. Due to the permanent availability and exemption from regular working hours, staff assigned to the office shall be entitled to a pay allowance of 20% and 10% for advisors and personal secretaries, respectively, calculated over the base remuneration, and overtime hours shall not be payable.

Article 24

Deputy national directors

The deputy national directors shall:

- (a) exercise the powers delegated or further delegated to them by the national director, who shall identify the substitute whenever absent or impeded; and



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- (b) provide superior management to the areas of intervention or the organisational units they are appointed for by the national director.

Article 25

Polícia Judiciária's High Council

1. The Polícia Judiciária's High Council, abbreviated as CSPJ, shall be chaired by the national director and be composed of *ex officio*, appointed, and elected members.
2. *Ex officio* members shall be:
 - (a) the deputy national directors;
 - (b) the directors of the North, Centre, Lisbon and Tagus Valley, and South Directorates;
 - (c) the director of the Institute for Judiciary Police and Criminal Sciences; and
 - (d) the director of the Forensic Science Laboratory.
3. Appointed members shall be:
 - (a) one director of one of the national criminal investigation units;
 - (b) three directors of any criminal investigation department;
 - (c) one director of one of the units offering technical support to criminal investigation; and
 - (d) one director representing the units of the areas for management and organisational development, and for management control, performance evaluation, and inspection and disciplinary control.
4. The members mentioned in (a) to (d) of the preceding paragraph shall be appointed by the national director.
5. Elected members shall be:
 - (a) representatives of each rank within the criminal investigation career, in a number not exceeding nine, whereas five shall belong to the first rank within the above-mentioned career;
 - (b) one representative of workers within the scientific police specialist career;



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- (c) one representative of workers within the security career;
 - (d) one representative of workers within the general careers; and
 - (e) one representative of workers within each of the subsisting careers.
6. The CSPJ shall:
- (a) issue an opinion, when requested to do so by the national director, on matters of interest to the PJ, especially with regard to the improvement of the operating conditions of the PJ;
 - (b) comment on draft legislation concerning the PJ, when requested to do so by the national director;
 - (c) issue an opinion on proposals to grant awards of outstanding merit, insignia or titles, and other honours;
 - (d) issue an opinion on any proposal to enforce disciplinary action in the form of compulsory retirement, dismissal, or resignation; and
 - (e) provide the national director with suggestions as regards measures to dignify services and to improve the social and working conditions of the PJ workers.
7. The CSPJ shall draw up its own internal regulation proposal, containing the rules of the electoral system and the term of office of the elected members of the CSPJ, which, after approval, shall be submitted for ratification by the member of the Government responsible for the area of justice.
8. The CSPJ shall annually publish its activities report in the services regulations of the National Directorate.

SECTION II

Powers of the services and organisational units

SUBSECTION I

Powers of the organisational units in the direct dependency of the national director

Article 26



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Institute for Judiciary Police and Criminal Sciences

1. The Institute for Judiciary Police and Criminal Sciences, abbreviated as IPJCC, shall be a training establishment with the mission of training criminal investigation and criminal investigation support staff, in the field of criminal investigation and forensic sciences, and shall have pedagogical and scientific autonomy.
2. The IPJCC shall collaborate with other teaching and investigative bodies, both national and international, in the legal-forensic, and judicial and prosecuting field, and shall participate in organisations, networks, and other structures for academic and professional exchange, within and outside the European Union.
3. The IPJCC shall be responsible for ensuring all levels of training and improvement necessary for the operational performance of the PJ staff, as well as for the career development of the criminal investigation and criminal investigation support staff.
4. The IPJCC shall furthermore:
 - (a) in the field of cooperation, prepare and provide training courses, and other training actions and programmes, to national and foreign judicial and prosecuting entities, as well as police entities, particularly of Portuguese-speaking and Latin-American countries;
 - (b) promote and organise congresses, symposia, colloquia, seminars, specialised courses, scientific meetings, and conference cycles;
 - (c) collaborate in operations necessary for the recruitment and selection of staff, namely as regards the preparation of tests, skill tests, and interviews of candidates aiming to join the PJ and, whenever necessary, follow up on the trial period;
 - (d) draw up the proposal for a specialised training plan, subject to the prior hearing of the persons in charge of the organisational units; and
 - (e) promote and disclose multidisciplinary scientific and technological research, namely in the areas of socio-criminological and legal-forensic analysis of the various types of crime, information analysis and management, forensic psychology, and police management.
5. In the dependency of the IPJCC shall operate the PJ Museum, which shall be responsible for ensuring the collection, conservation, classification, study, and display of donated property with criminological, criminal, and police interest that



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exists within the PJ, as well as of objects and assets seized and declared forfeited to the State.

Article 27

Financial Intelligence Unit

1. The Financial Intelligence Unit, abbreviated as FIU, shall at national level be responsible for gathering, centralising, processing, and disclosing information concerning the prevention and investigation of offences involving the laundering of criminal proceeds, financing of terrorism, and tax-related crimes, ensuring, at domestic level, the cooperation and liaison with the judicial or prosecuting authorities, supervisory and inspection authorities, and financial and non-financial entities, as provided for in Act No 83/2017 of 18 August 2017 and, at international level, the cooperation with the financial intelligence units or similar bodies.
2. The powers referred to in the preceding paragraph shall be without prejudice to the task and powers, in this area, of the tax administration bodies.
3. Workers of the Tax and Customs Authority, and other supervisory authorities, or government services and bodies, may integrate the FIU, being the circumstances defined by order of the respective ministers, in accordance with the scheme applicable to them.

Article 28

Asset Recovery Office

1. The Asset Recovery Office, abbreviated as ARO, shall be regulated by a separate statute.
2. The position of the coordinator of the ARO shall be a first-degree middle management position.

Article 29

Legal Advice Office

The Legal Advice Office, abbreviated as GAJ, shall:



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- (a) provide legal advice, support, and follow-up on administrative, contentious, and non-contentious procedures, including procedures relating to accidents at work;
- (b) prepare opinions and information of a legal and technical nature on matters submitted for assessment by the national director or by the deputy national directors; and
- (c) prepare, in liaison with the services involved, the drawing up of directives, permanent service instructions, or regulations ordered by the national director.

SUBSECTION II

Powers of the organisational units of the criminal investigation and technical support to criminal investigation areas

Article 30

National Counter-Terrorism Unit

1. The National Counter-Terrorism Unit, abbreviated as UNCT, shall be the specialised operational unit providing a preventive and repressive response to the phenomenon of terrorism and other threats that, due to their serious and violent nature, undermine the normal functioning of democratic institutions, the legal exercise of citizens' fundamental rights, freedoms and guarantees, and democratic legality.
2. The UNCT shall have powers in matters of crime prevention, detection and investigation, and shall provide assistance to the judicial and prosecuting authorities, as regards the following offences, and others whenever empowered by the national director:
 - (a) terrorism, international terrorism, terrorist organisations, terrorist financing and, in liaison with the UNCT, cyber terrorism;
 - (b) offences against the security of the State, with the exception of offences concerning the electoral process;
 - (c) unlawful seizure of means of transport by air, water, railway or road, or acts affecting the safety thereof, punishable, in abstract, with 8 years of imprisonment or more;



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- (d) offences committed by means of bombs, grenades, explosive materials or devices, firearms and booby-trapped devices, chemical, biological, radioactive or nuclear (CBRN) weapons;
 - (e) offences committed against the President of the Republic, President of the Assembly of the Republic, Prime Minister, presidents of the higher courts, and Prosecutor General, during the performance of their official duties or by reason thereof;
 - (f) criminal associations that, due to their highly organised nature, or international or transnational dimension, are likely to endanger the democratic rule of law;
 - (g) offences against the cultural identity and personal integrity, as well as offences provided for by criminal law regarding violations of international humanitarian law;
 - (h) slavery, illegal restraint, kidnapping, and hostage taking;
 - (i) trafficking in human beings;
 - (j) participation in armed riots;
 - (k) illicit trafficking and brokering in arms;
 - (l) robbery committed in credit institutions, post and public treasury offices;
 - (m) facilitation of illegal immigration and association in order to facilitate illegal immigration; and
 - (n) offences related to those mentioned in the aforementioned subparagraphs.
3. The UNCT shall furthermore:
- (a) collect, process and disclose, at national and international level, information concerning the prevention and investigation of offences within its powers, as well as develop criminal counterintelligence actions;
 - (b) submit to the national director the results of tactical and strategic analyses of offences falling within its powers;
 - (c) collect and process statistical data within its material powers in conjunction with the UIC; and
 - (d) represent the PJ, in the operational field, with the Anti-Terrorism Coordination Unit.



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Article 31

National Anti-Corruption Unit

1. The National Anti-Corruption Unit, abbreviated as UNCC, shall be the specialised operational unit providing a preventive and repressive response to criminal phenomena linked to economic and financial crime.
2. The UNCC shall have powers in matters of crime prevention, detection, and investigation and shall provide assistance to the judicial and prosecuting authorities as regards corruption, embezzlement, influence peddling, and unlawful profit-sharing.
3. The UNCC shall also have powers as regards the prevention and investigation of the following offences, and others whenever empowered by the national director:
 - (a) malfeasance and abuse of powers by political office holders;
 - (b) fraud in obtaining or misappropriation of a subsidy or subvention and fraud in obtaining a subsidised loan;
 - (c) economic and financial offences;
 - (d) counterfeiting of currency, credit instruments, stamp duty papers, stamps, and other cash equivalents or the passing thereof;
 - (e) offences related to the securities market;
 - (f) fraudulent insolvency and maladministration;
 - (g) money laundering;
 - (h) tax-related offences to an amount exceeding EUR 500,000.00;
 - (i) economic and financial offences committed in an organised manner, resorting to computer technology;
 - (j) economic and financial offences with an international or transnational dimension; and
 - (k) predicate offences related to those referred to in paragraph 1 and in subparagraphs (b) to (e), (g), and (h).
4. The UNCC shall furthermore:
 - (a) centralise and process criminal information regarding the above-mentioned



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offences;

- (b) submit to the national director the results of tactical and strategic analyses of offences falling within its powers;
- (c) collect and process statistical data within its material powers in conjunction with the UIC; and
- (d) take preventive actions set forth in Article 1 of Act No 36/94 of 29 September 1994, as amended from time to time, complying with the procedures foreseen in its Article 2.

Article 32

National Unit for Fighting Drug Trafficking

1. The National Unit for Fighting Drug Trafficking, abbreviated as UNCTE, shall be the specialised operational unit providing a preventive and repressive response to offences regarding the trafficking in narcotic drugs and psychotropic substances, as provided for in Articles 21, 22, 27 and 28 of Decree-Law No 15/93 of 22 January 1993, as amended from time to time, and to any offences provided for in that Decree-Law that are reported to the Unit or that the Unit becomes aware of, as well as other offences whenever empowered by the national director.
2. The UNCTE shall furthermore:
 - (a) centralise and process criminal information regarding the trafficking of narcotic drugs on national level, and disclose it to the competent bodies;
 - (b) carry out and disclose tactical and strategic analyses of offences falling within its powers;
 - (c) collect, process and disclose statistical data within its material powers in conjunction with the UIC;
 - (d) develop the liaison and sharing of information with the Maritime Operations Analysis Centre – Narcotics (MAOC-N); and
 - (e) coordinate the operation of Joint Coordination and Intervention Units pursuant to Article 6 of Decree-Law No 81/95 of 26 April 1995.

Article 33



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National Unit for Fighting Cybercrime and Technological Crime

1. The National Unit for Fighting Cybercrime and Technological Crime, abbreviated as UNC3T, shall be the specialised operational unit providing a preventive and repressive response to the cybercrime phenomenon.
2. The UNC3T shall be responsible for the prevention, detection, and investigation of the following offences, without prejudice to other offences whenever empowered by the national director:
 - (a) offences foreseen in Act No 109/2009 of 15 September 2009;
 - (b) offences committed using technologies or computer means, or by means of those, set forth, in particular:
 - (i) in the legal regime of personal data protection; and
 - (ii) in the Code of Copyright and Related Rights, including the interference and unblocking of forms of technological protection of goods and services;
 - (c) crime prevention, detection, and investigation and assistance to the judicial and prosecuting authorities regarding the following:
 - (i) offences against sexual freedom and self-determination, when practised by means of or through a computer system;
 - (ii) invasion of privacy by means of computer;
 - (iii) computer and communications fraud;
 - (iv) offences related to the illegal interference and manipulation of electronic and virtual means of payment;
 - (v) espionage, when committed in the form of any software designed to carry out harmful actions that constitute an advanced and permanent threat; and
 - (vi) cyberterrorism, in liaison with the UNCT.
3. The UNC3T shall furthermore:
 - (a) centralise and process criminal information regarding the above mentioned offences;
 - (b) submit to the national director the results of tactical and strategic analyses of



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- offences falling within its powers;
- (c) collect and process statistical data within its material powers in conjunction with the UIC;
 - (d) collaborate and directly assist crime prevention, detection, and investigation actions developed by those national bodies responsible by law for the security of the national cyberspace;
 - (e) draw up and keep updated the National Plan of the PJ for the Prevention and Fight against Cybercrime, namely, in liaison with the National Cybersecurity Centre (CNCS);
 - (f) conclude technical and scientific collaboration protocols with public and private entities, both national and foreign, subject to the prior approval by the National Directorate;
 - (g) ensure the regular operation of an informal advisory group for strategic, educational, legal, technical, and scientific discussion and advice on issues related to cybercrime, technological crime, and cybersecurity; and
 - (h) ensure the collaboration and direct participation in initial and further training on cybercrime for criminal investigation and support staff of the PJ, particularly in the areas of information security and cybersecurity.
4. Within the UNC3T shall operate a digital investigation team, with technical and scientific autonomy, pursuing the following tasks:
- (a) optimise and manage the infrastructure and technological means allocated to the unit;
 - (b) support and provide technical, technological, and legal advice to criminal investigation workers regarding their investigations;
 - (c) test and develop specific tools for the investigation of cybercrime and technological crime and for data decryption;
 - (d) collect, process and disclose cyberintelligence data to support investigations, international police cooperation, and cybercrime prevention;
 - (e) develop counterintelligence actions;
 - (f) provide support regarding technical actions aimed at the collection of digital evidence, namely undercover actions and data interception; and



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- (g) support investigations requiring technical expertise relating, in particular, to anonymisation networks, virtual markets and currencies, and analysis of malicious software.

Article 34

Directorates, criminal investigation departments, and local criminal investigation units

The directorates, criminal investigation departments, and local criminal investigation units shall be responsible for crime prevention, detection, and investigation and shall provide assistance to the judicial and prosecuting authorities regarding offences within the powers of the PJ, or the investigation of which has been entrusted to the PJ, committed or known in their respective geographical area of intervention and which are not assigned to national units.

SUBSECTION III

Powers of the organisational units providing technical support to criminal investigation

Article 35

Prevention and Technological Support Unit

- (1) At national level, the Prevention and Technological Support Unit, abbreviated as UPAT, shall:
 - (a) develop research and surveillance actions regarding suspicious activities, persons and places, and gather and collect evidence, at the request of the criminal investigation services, in accordance with Article 4 of this decree-law and Article 187 and following of the Code of Criminal Procedure;
 - (b) develop actions provided for in Act No 101/2001 of 25 August 2001, as amended from time to time, in collaboration with the criminal investigation services, and ensure the operational control and supervision of the actions provided for in Article 160-B of Act No 144/99 of 31 August 1999, as amended from time to time, promoting the proper liaison with the other



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- criminal police bodies;
- (c) provide support to criminal investigation in those actions provided for in Article 160-A of Act No 144/99 of 31 August 1999, as amended from time to time;
 - (d) develop the necessary and urgent procedures to ensure the status and implementation of the measures and programmes provided for in Act No 93/99 of 14 July 1999, as amended from time to time;
 - (e) develop control and protection actions of agents acting within the scope of Act No 101/2001 of 25 August 2001, as amended from time to time; and
 - (f) carry out actions for the detection of illegal interception of communications and data transmission.
- (2) The UPAT shall furthermore be responsible for managing the equipment and resources necessary for operational purposes, and for promoting the development of appropriate technological projects.

Article 36

Criminal Information Unit

1. The Criminal Information Unit, abbreviated as UIC, shall:
 - (a) centralise, maintain, and ensure the national management of the criminal information system of the PJ;
 - (b) collect, process, record, analyse, and disclose information on known crime, in liaison with the criminal information systems provided for by law;
 - (c) promote coordination between the information analysis sections within the organisational units of the PJ;
 - (d) carry out specific risk analysis and assessment relating to the performance of the tasks of the PJ;
 - (e) carry out prospective analysis of emerging criminal phenomena;
 - (f) define procedures on technical standards relating to the search and dissemination of criminal information;
 - (g) provide operational support to the organisational units of the PJ as regards



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- the collection, processing, and analysis of data and news necessary for the accomplishment of specific missions;
- (h) ensure the coordination of crime prevention actions and those aimed at finding missing persons; and
 - (i) ensure the operation of the PJ register as regards classified information, without prejudice to the powers of the national director.
2. Furthermore, the UIC shall be responsible for carrying out inspection actions and initialise administrative offence proceedings referred to in Article 95 of Decree-Law No 120/2017 of 15 September 2017, as amended from time to time.
 3. Within the UIC, by decision of the national director, a team may be set up for the investigation, research, and development of behavioural analysis and identification of criminal profiles.

Article 37

Information and Communications Systems Unit

The Information and Communications Systems Unit, abbreviated as USIC, shall:

- (a) establish, operate, and maintain the telecommunications system of the PJ, as well as ensure its interconnection with the networks of the International Criminal Police Organisation (ICPO/INTERPOL), EUROPOL, and other similar international bodies;
- (b) develop, manage, and maintain the information systems of the PJ, special equipment, and respective communication networks;
- (c) design and maintain the architecture of the equipment, communication networks, and information systems of the PJ, selecting and installing the most appropriate equipment and technological support systems, and ensuring the confidentiality and integrity of the information stored, as well as its safe transmission;
- (d) ensure support to users regarding the operation, management, and maintenance of information systems, equipment, and networks operated, as well as provide training;
- (e) ensure the operation of the Integrated System of Portugal's Emergency and Security Network (SIRESP) in the PJ;



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- (f) ensure the encryption algorithms of communication;
- (g) ensure the control of the communications interception system, in accordance with the provisions of Article 27 of Act No 53/2008 of 29 August 2008, as amended from time to time; and
- (h) manage the equipment and resources necessary for the operation of the evidence collection and gathering systems, in accordance with the provisions of Articles 187 to 189 of the Code of Criminal Procedure and the Internal Security Act.

Article 38

International Cooperation Unit

1. Within the internal structure of the PJ, the International Cooperation Unit, abbreviated as UCI, shall ensure the operation of the EUROPOL National Unit and the INTERPOL National Bureau, in accordance with the provisions of Article 5 (2) (a).
2. Therefore, the UCI shall, in particular:
 - (a) ensure that the mechanisms for assisting the judicial and prosecuting authorities regarding international judicial cooperation in criminal matters within the International Criminal Police Organisation (ICPO/INTERPOL), EUROPOL, and other similar international bodies are operational;
 - (b) ensure the external representation, in European international fora, as regards the powers of the ICPO/INTERPOL and EUROPOL within the exclusive intervention areas of the PJ; and
 - (c) assist the judicial and prosecuting authorities in accordance with the criminal procedural law in the scope of international judicial cooperation in criminal matters.
3. The UCI shall furthermore:
 - (a) develop, follow up on and analyse cases, projects and missions at international level and as regards institutional cooperation with other similar entities, especially with Portuguese-speaking countries;
 - (b) receive and forward requests for provisional arrests that are to be executed in extradition proceedings within the powers of the PJ;



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- (c) coordinate the participation of the PJ in the relevant bodies within the framework of EU police cooperation;
 - (d) ensure the reception and attendance of similar police bodies on mission in the national territory; and
 - (e) manage the placing and secondment of liaison officers of the PJ.
4. The Public Prosecutor's Office shall promote the remittance to the UCI of certified copies of sentences delivered against convicted foreign nationals, for the purpose of communication to the country of origin, while the PJ must ensure the sharing of information within the SPOC-IPC.
 5. The General Directorate for Rehabilitation and Prison Services (DGRSP) shall report to the UCI the relevant facts concerning the enforcement of sentences imposed on foreign nationals.
 6. Within the UCI, a team of translators and interpreters shall operate to ensure the translation of documentation and communications used in police cooperation and criminal investigations.

Article 39

Arms and Security Unit

The Arms and Security Unit, abbreviated as UAS, shall:

- (a) manage the arms and operational equipment;
- (b) prepare, implement, and monitor the annual shooting training plan approved by the national director;
- (c) ensure safety procedures in crime prevention and investigation operations;
- (d) ensure the safety of the staff, premises, and equipment;
- (e) store, keep, and hand out equipment, arms and relevant ammunition;
- (f) carry out the annual control and inspection of arms and ammunition handed out individually, keeping the respective personal records of workers updated, in liaison with the DS-GAP;
- (g) collaborate in the analysis of incidents involving firearms that took place during PJ interventions, from a technical and tactical perspective;



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- (h) manage the shooting ranges, and the relevant equipment, arms and their ammunition;
- (i) ensure the use of the shooting ranges for the purpose of collecting expert evidence by the LPC;
- (j) support criminal investigation in operational actions, witness protection, transport, and custody of detainees, materials, and valuables within the scope of the powers of the PJ;
- (k) ensure the safety of the managerial staff of the PJ, in accordance with the guidelines of the national director;
- (l) carry out annual checks on the individual skills levels regarding the use of arms;
- (m) forward individual information, in accordance with the preceding subparagraph, to the DS-GAP for inclusion in the respective personal record files;
- (n) promote the maintenance and replacement of arms, ammunition, accessories, and equipment to the national director and the DP-GFP;
- (o) propose procedures for the respective areas of intervention and ensure their implementation;
- (p) supervise the supply, validity, and maintenance of individual protection equipment and the installation and maintenance of safety signs; and
- (q) design, propose, and implement standards and procedures as regards prevention and safety of the premises and, in liaison with the DS-GAP, define safety and health at work standards and procedures.

Article 40

Specialised technical and scientific support units

1. In order to carry out forensic examination and expertise tasks, the PJ shall have the following units:
 - (a) the LPC;
 - (b) the UPFC; and
 - (c) the UPTI.
2. The units mentioned in the previous paragraph shall enjoy technical and scientific



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autonomy and may have, outside their respective headquarters, offices, or branches in any operational unit of the PJ.

3. The units referred to in paragraph 1 (a) to (c) may call upon the cooperation of other official establishments, laboratories, or services in their field of expertise, ensuring at all times the custody of the evidence, and may conclude protocols for institutional cooperation relevant to their activity.

Article 41

Forensic Science Laboratory

1. The Forensic Science Laboratory, abbreviated as LPC, exercises its activity throughout the national territory, is an official laboratory according to law, enjoys technical and scientific autonomy, and shall:
 - (a) do research, define collection procedures, collect and process traces, and ensure the custody of evidence regarding offences falling within the exclusive powers of the PJ or when powers are granted;
 - (b) perform expertise in the various fields of forensic science, including audio and sound, ballistics, biology, criminalistics, documents and currency, drugs and toxicology, handwriting, forensic arts, computer science and telecommunications, physics, fingerprints, traces and tools, and chemistry;
 - (c) implement new types of expertise and develop existing ones, integrating national and international scientific knowledge;
 - (d) maintain and develop the respective forensic databases, in particular the Central File for Fingerprint Data, in accordance with the provisions of Act No 67/2017 of 9 August 2017;
 - (e) ensure the national technical and scientific point of contact for the implementation of the Prüm Convention, as regards fingerprints, as well as the National Centre for the Analysis of Banknotes and Coins, with the European institutions;
 - (f) ensure the technical and scientific participation of the PJ in the field of forensic sciences in the various national, EU and international bodies and, in particular, the cooperation with Portuguese-speaking countries;



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- (g) issue opinions, disclose information, and provide technical and scientific advice in the field of its competences;
 - (h) maintain a quality management system for accreditation, defining, in particular, procedures that take into account contamination, and health and safety issues;
 - (i) ensure the skills matrix of the workers, as defined in the quality system; and
 - (j) define its intervention in accordance with the general principles of forensic science, in particular by guaranteeing the collegiality of conclusions.
2. Without prejudice to the PJ's response to the other criminal police bodies, and judicial and prosecuting authorities, the intervention of the PJ may be extended to any official services or body.
 3. The powers of the LPC shall be cumulative with those of the National Institute of Legal Medicine and Forensic Sciences (INMLCF, IP) in particular as regards human identification in exceptional contexts, in the scope of the DNA profile database, and in the performance of complementary expert interventions.
 4. The PJ shall, through the LPC, cooperate with the civil protection system, whether in natural or accidental disasters, whether in situations of non-criminal origin involving chemical, biological, radioactive, and nuclear substances (CBRN).
 5. The LPC shall be part of the national criminalistics structure and ensures the on-call response.
 6. The branches of the LPC may comprise other forensic tasks, besides criminalistics, in terms to be established by order of the national director.

Article 42

Financial and Accounting Expertise Unit

The Financial and Accounting Expertise Unit, abbreviated as UPFC, shall:

- (a) carry out financial, accounting, tax-related, and banking expertise, examinations, and analyses ordered by the judicial and prosecuting authorities, and criminal police authorities;



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- (b) provide technical advice to criminal investigation services and judicial and prosecuting authorities on the gathering and analysis of documents and other evidence;
- (c) assist the judicial and prosecuting authorities during the investigation, pre-trial, and trial stages, within the framework of its powers; and
- (d) maintain, in liaison with the DS-PQA, a quality management system for accreditation with the respective competent official authorities.

Article 43

Technological and Computer Expertise Unit

The Technological and Computer Expertise Unit, abbreviated as UPTI, shall:

- (a) carry out IT expertise, examinations, and analyses ordered by the judicial and prosecuting authorities, and criminal police authorities;
- (b) provide technical advice to the judicial and prosecuting authorities and criminal investigation services on the gathering and analysis of digital evidence on any physical support or of remote access;
- (c) assist the judicial and prosecuting authorities during the investigation, pre-trial, and trial stages, within the framework of its powers; and
- (d) maintain, in liaison with the DS-PQA, a quality management system with a view to accreditation with the relevant competent official authorities.

SUBSECTION IV

Powers of the organisational units in the management and organisational development areas

Article 44

Services Directorate for Financial and Property Management

1. The Services Directorate for Financial and Property Management, abbreviated DS-GFP, shall have the following powers in terms of financial management and budgetary control, property administration, including movable or immovable



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property and the vehicle fleet, centralisation of information on seized assets in the custody of the PJ and its management, without prejudice to the powers of the Asset Management Office provided for in Act No 45/2011 of 24 June 2011, as amended from time to time.

2. Therefore, the DS-GFP shall, in particular:

- (a) prepare and propose the budget and the investment plan;
- (b) carry out studies and analyses relating to financial and property management;
- (c) ensure the standardisation of financial procedures in all organisational units, by drawing up appropriate instructions, in particular with regard to the collection of own revenue and the realisation of expenditure;
- (d) promote and organise the necessary procedures for the acquisition of goods and services, as well as of public works contracts, including the respective legal analysis;
- (e) verify and monitor the legality of expenditure;
- (f) draw up implementation maps and reports necessary for proper budgetary control and evaluation;
- (g) ensure the administration of budget appropriations, in particular the requisitioning of funds, execution of payments, and control of cash transactions;
- (h) keep the accounts and update the mandatory bookkeeping and accounting records;
- (i) draw up the management account to be submitted for approval by the national director;
- (j) ensure the updating of the property inventory;
- (k) ensure, in collaboration with the other organisational units, the management and control of the premises and the corresponding equipment;
- (l) manage and inspect the execution of works in liaison with the other organisational units; and
- (m) ensure the payment of the justice fee, in the situations foreseen in the second part of Article 15 (a) of the Regulation on Costs of Proceedings, approved by



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Decree-Law No 34/2008 of 26 February 2008, as amended from time to time.

3. In order to exercise its powers, the DP-GFP shall centralise all budgetary and financial information, distributing internally the budget of the PJ among the units, which shall act as cost centres.

Article 45

Services Directorate for Staff Management and Administration

1. The Services Directorate for Staff Management and Administration, abbreviated as DS-GAP, shall have powers in matters of recruitment and selection, staff management, and safety and health at work.
2. Therefore, the DG-GAP shall, in particular:
 - (a) ensure the forward-looking management of the staff;
 - (b) carry out the necessary operations regarding tender procedures for the recruitment and selection of staff;
 - (c) process remunerations;
 - (d) ensure the management of careers, particularly in matters of placement, promotion, transition to non-active status, and retirement;
 - (e) organise the respective personal records of the staff and keep them updated;
 - (f) prepare the social accounting sheet and the human resources training report;
 - (g) prepare opinions on the management of human resources;
 - (h) ensure the management of regular attendance control systems;
 - (i) provide the staff with psychosocial and medical support and ensure the monitoring of cases of absenteeism;
 - (j) ensure the procedures relating to missions;
 - (k) implement methodologies for the prevention of occupational diseases and the identification and prevention of risk behaviour for the health and safety of the staff; and
 - (l) organise and promote the performance of physical assessment and compulsory medical examinations.



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3. The DS-GAP shall furthermore be responsible for the reception, dispatch, and distribution of mail in the central services.
4. The powers regarding safety at work shall be developed in liaison with the UAS.

Article 46

Services Directorate for Innovation and Development

1. The Services Directorate for Innovation and Development, abbreviated as DS-ID, shall develop its activity in the field of innovation, research, and technological development, in particular through the management of methodological, instrumental, and organisational innovation projects and activities.
2. The DS-ID shall:
 - (a) propose to the national director an innovation strategy and monitor and evaluate it;
 - (b) design innovation projects and actions in the intervention areas of the PJ;
 - (c) draw up and manage funding applications for innovation projects and activities, in particular from European funds and other sources of national and international funding;
 - (d) ensure the participation of the PJ in European and international projects in the area of innovation and organisational development; and
 - (e) monitor the strategy of other institutions similar to the PJ in the field of innovation and organisational development.
3. In order to pursue its powers, the DS-ID shall act in close liaison with the other organisational units of the PJ, as well as with other external entities, national or international.

SUBSECTION V

Powers of the organisational units in the management control, performance evaluation, and inspection and disciplinary control areas

Article 47



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Services Directorate for Planning, Quality, and Evaluation

1. The Services Directorate for Planning, Quality, and Evaluation, abbreviated as DS-PQA, shall develop its activity in the field of management control, implementing an organisational strategic planning system, a quality evaluation system, and an organisational performance evaluation system.
2. The DS-PQA shall:
 - (a) organise and ensure the regular operation of a management planning and control system;
 - (b) draw up the annual and multi-annual management instruments, liaising with the different organisational units the setting of goals and indicators, ensuring their monitoring and drawing up the relevant evaluation reports;
 - (c) develop, implement, and ensure the monitoring of the management plan for corruption risks and related offences;
 - (d) collect and process statistical data relating to the activity of the PJ;
 - (e) promote audits of the internal control systems and management procedures, in the budgetary, economic, financial, and property areas, in accordance with the principles of legality, regularity, and sound financial management, promoting their effectiveness and optimisation;
 - (f) carry out systematic actions of financial audit, control, and evaluation of the services and projects, with special focus on the areas of organisation, public management, quality, operation, and human resources, aiming at the quality and efficiency of the services;
 - (g) carry out IT audits, in particular on the quality and security of information systems;
 - (h) evaluate and monitor compliance with human resources legislation;
 - (i) evaluate and monitor the quality of the services provided to the judicial and prosecuting authorities, and other criminal police bodies;
 - (j) contribute to the proper application of laws and regulations, instructing the services of the PJ on the most appropriate procedures;
 - (k) establish the generic requirements of quality management systems; and
 - (l) organise and ensure the operation of an integrated management and



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performance evaluation system of the services, the managerial staff, and the workers.

3. The director shall have free access to all places and services related to the specific audit activities the DS-PQA is in charge of.
4. In the dependency of the DS-PQA shall operate the Documentations and Archive Centre which shall:
 - (a) ensure the operation of a documentation system, keeping a specialised library updated, as well as the maintenance and conservation of current archives;
 - (b) conclude protocols with national and international libraries, and documentation and archive centres for the purpose of technical and scientific consultation, research, and activity;
 - (c) design, maintain, and develop documentation systems;
 - (d) ensure the operability, maintenance, and updating of documentary computer applications and files, as well as promote and coordinate the access to them, in accordance with the applicable safety standards.

Article 48

Services Directorate for Inspection and Disciplinary Action

1. The Services Directorate for Inspection and Disciplinary Action, abbreviated as DS-DI, shall develop its activity in the field of inspective and disciplinary control.
2. The DS-DI shall:
 - (a) inspect the services, proposing appropriate measures in the field of work organisation, performance, and professional qualifications;
 - (b) initialise internal investigative, disciplinary, and inquiry proceedings; and
 - (c) monitor the implementation of the management risk prevention plan, including corruption risks and related offences.
3. The director shall have free access to all places and services related to the specific inspection and disciplinary activities the DS-DI is in charge of.



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4. Without prejudice to the powers legally conferred on the national director, the Director of the DS-DI shall appoint the instructors and secretaries in charge of the disciplinary proceedings, monitoring, supervising, and providing technical guidance, and may intervene in the respective proceedings.

CHAPTER III

Managerial positions

SECTION I

Chart of managerial staff

Article 49

Chart of managerial staff

The positions of first and second-degree senior management and of first and second-degree middle management shall be set out in Annex I to this Decree-Law, of which it forms an integral part.

Article 50

Powers of middle management and other equivalent positions

The positions of first and second-degree middle management shall be set out in Annex II to this Decree-Law, of which it forms an integral part.

SECTION II

Appointment of managerial staff

Article 51

General rule

The recruitment of the managerial staff of the PJ shall be carried out by choice, according to the following Articles.



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Article 52

National director

1. The national director shall be appointed, by order of the Prime Minister and the member of the Government responsible for the area of justice, from among:
 - (a) court judges;
 - (b) prosecutors of the Public Prosecutor's Office;
 - (c) criminal investigation senior coordinators; or
 - (d) holders of a five-year law degree or less, provided that in the latter case it is complemented by a master's or doctoral degree obtained at a Portuguese university, or by equivalent academic degrees admitted in Portugal, with recognised technical competence, aptitude, professional experience, and adequate training for the performance of the tasks, whether or not tied to Public Administration.
2. The office shall be occupied by means of a three-year tenure, renewable for equal periods.
3. The renewal of the tenure shall be communicated to the interested party up to 30 days before the end of the period, and it shall automatically cease at the end of the respective period if the member of the Government responsible for the area of justice has not expressly stated the intention to renew it, in which case the appointee shall continue to exercise current management tasks until the appointment of the new office-holder.
4. For the purpose of possible renewal of the tenure, the competent authority shall be informed, with 90 days' notice of the term of each tenure period, and tenure shall automatically terminate at the end of the relevant period when that formality is not complied with.
5. Tenure may be terminated at any time, by order of the member of the Government responsible for the area of justice upon own initiative, or at the request of the interested party.

Article 53



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Deputy national directors

1. The deputy national directors shall be appointed by order of the member of the Government responsible for the area of justice upon proposal by the national director, from among:
 - (a) court judges;
 - (b) prosecutors of the Public Prosecutor's Office;
 - (c) criminal investigation senior coordinators; or
 - (d) holders of a five-year law degree or less, provided that in the latter case it is complemented by a master's or doctoral degree obtained at a Portuguese university or by equivalent academic degrees admitted in Portugal, with recognised professional competence and experience for the performance of the tasks, whether or not tied to Public Administration.
2. As to occupation of the position, the provisions of Article 52 (2) to (5) shall apply.
3. Tenure may be terminated at any time, by order of the member of the Government responsible for the area of justice, by proposal of the national director, or at the deputy national director's own request.

Article 54

Directors of national criminal investigation units and of Directorates

1. The directors of national criminal investigation units and of Directorates shall be appointed by order of the member of the Government responsible for the area of justice upon proposal by the national director, from among:
 - (a) court judges;
 - (b) prosecutors of the Public Prosecutor's Office;
 - (c) criminal investigation senior coordinators; or
 - (d) criminal investigation coordinators with more than five years of service in this rank.
2. As to occupation of the position, the provisions of Article 53 (2) and (3) shall apply *mutatis mutandis*.



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Article 55

Remaining first-degree middle management positions

1. The directors of the FIU, UPAT, UIC, UCI, and ARO shall be appointed by order of the member of the Government responsible for the area of justice, upon proposal of the national director, from among criminal investigation senior coordinators or criminal investigation coordinators with more than five years of service in this rank.
2. The directors of the IPJCC, USIC, UAS, LPC, UPFC, and UPTI shall be appointed by order of the member of the Government responsible for the area of justice, upon proposal of the national director, from among criminal investigation senior coordinators, criminal investigation coordinators with more than five years of service in this rank, or workers with an indefinite public employment contract who cumulatively hold a degree for more than five years and with relevant professional experience for the same period.
3. The director of the DS-DI shall be appointed by order of the member of the Government responsible for the area of justice, upon proposal of the national director, from among court judges or prosecutors of the Public Prosecutor's Office;
4. The directors of the DS-GFP and DS-GAP, DS-ID and DS-PQA shall be appointed by order of the member of the Government responsible for the area of justice, upon proposal of the national director, from among criminal investigation senior coordinators or workers with an indefinite public employment contract who cumulatively hold a degree for more than five years and with relevant professional experience for the same period.
5. As to occupation of the positions, the provisions of Article 53 (2) and (3) shall apply *mutatis mutandis*.

Article 56

Second-degree middle management positions

1. The assistant directors of directories and the directors of criminal investigation departments shall be appointed by order of the member of the Government responsible for the area of justice, upon proposal of the national director, from among criminal investigation senior coordinators or criminal investigation coordinators with more than three years of service in the rank.



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2. The head of division shall be appointed by order of the national director, from among PJ staff cumulatively holding a degree for more than five years and with relevant professional experience for the same period.
3. As to occupation of the positions, the provisions of Article 53 (2) and (3) shall apply *mutatis mutandis*

SECTION III

Remuneration system of the managerial staff

Article 57

Base remuneration

1. The national director shall be deemed, for the purpose of base remuneration, to have been a judge of a higher court for more than five years.
2. The index structure of the salary scale of the managerial staff, as well as the index 100 of the salary scale, shall be set out in Annex III to this Decree-Law, of which it is an integral part.
3. The index 100 of the salary scale may be amended by order of the members of the Government responsible for the areas of finance, public administration, and justice.

Article 58

Risk allowance

1. In the performance of their duties and due to the particular physical and psychological strain, risk, and permanent availability, managerial staff shall be entitled to a risk allowance corresponding to 20% of the respective base remuneration corresponding to the position.
2. The amount of the allowance referred to in the preceding paragraph shall be a 14-months' pay and may be updated in accordance with the general terms laid down for the annual update of workers holding public office.

Article 59



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Entertainment expenses

Holders of managerial positions with the PJ shall be entitled to an allowance for entertainment expenses, under the terms laid down for the managerial staff of the services and bodies of the State's central administration, on a par with the respective first and second-degree senior and middle management positions.

Article 60

Physical disability

The legal regulations in force for disabled persons in the Armed Forces and security forces shall apply to the managerial staff, *mutatis mutandis*, and under the terms laid down for its application to PJ staff.

Article 61

Social benefits

Without prejudice to the regulation provided for in Decree-Law No 503/99 of 20 November 1999, as amended from time to time, the managerial staff shall be entitled to an insurance to cover the risks of death, permanent, absolute or partial disability, and hospitalisation arising from accidents at work, to be regulated by order of the members of the Government responsible for the areas of finance and justice.

Article 62

Remuneration option

1. Judges, public prosecutors, and staff occupying managerial positions under the tenure scheme shall be entitled to opt for the base remuneration corresponding to their place of origin.
2. The staff referred to in the preceding paragraph shall be entitled to the allowance set out in Article 58.
3. Judges and public prosecutors serving under tenure in the PJ shall maintain all rights enshrined in their respective statutes, and any service rendered in that capacity shall be deemed as if it was rendered in the rank and in the performance of duties of their position of origin, and shall not lead to the opening of a vacancy



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at the position of origin nor at which, in the meanwhile, the office-holder has been appointed to.

CHAPTER IV

Non-managerial staff with coordinating or heading tasks and remuneration system

SECTION I

Appointment of non-managerial staff with coordinating or heading tasks

Article 63

Deputy director of a national criminal investigation unit

1. The directors of national criminal investigation units may be assisted by a deputy, appointed by order of the national director to a three-year tenure, renewable for equal periods, and recruited from among criminal investigation senior coordinators, criminal investigation coordinators with more than three years of service in the rank, or chief inspectors with more than seven years of service in the rank.
2. The deputy director shall exercise the powers delegated by the director of the respective unit.

Article 64

Head of criminal investigation local units

The head of a criminal investigation local unit shall be appointed by order of the national director to a three-year tenure, renewable for equal periods, and recruited from among criminal investigation senior coordinators, criminal investigation coordinators, or chief inspectors with more than five years of service in the rank.

Article 65

Coordinator of the Legal Advice Office



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1. The coordinator of the GAJ shall be appointed by the national director to a three-year tenure, renewable for equal periods and recruited from among jurists, with an indefinite public employment contract, with at least six years of qualified professional experience in the area of legal advice on public law.
2. The coordinator of the GAJ shall exercise the powers delegated by the national director.

Article 66

Coordination of sections and heading of squads of criminal investigation units

1. The tasks of coordinating criminal investigation sections shall be performed by a worker with the rank of criminal investigation coordinator, appointed to a three-year tenure by the national director, renewable for equal periods.
2. The tasks of heading criminal investigation squads shall be performed by a worker with the rank of chief inspector, appointed by the national director to a three-year tenure, renewable for equal periods.
3. The tasks of coordinating sections or heading squads may also be performed, respectively, by chief inspectors and inspectors, under the terms set forth in Article 18 (10).

Article 67

Head of sector

1. The head of sector shall be appointed by order of the national director to a three-year tenure, renewable for equal periods, from among PJ workers who meet the following cumulative requirements:
 - (a) having at least four years of service in the scientific police specialist, the security, or the senior technician career; and
 - (b) having completed the training course provided by the IPJCC.
2. The powers of the head of sector are set forth in annex IV to this Decree-Law, of which it is an integral part.



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Article 68

Head of subsector

1. The head of subsector shall be appointed by order of the national director to a three-year tenure, renewable for equal periods, from among PJ workers who meet the following cumulative requirements:
 - (a) having at least three years of service in the scientific police specialist, the security, or the senior technician career; and
 - (b) having completed the training course provided by the IPJCC.
2. The powers of the head of sector are set forth in annex IV to this Decree-Law, of which it is an integral part.

Article 69

Renewal and termination of tenures

1. The renewal of a tenure referred to in Articles 63 to 68 shall be communicated to the interested party up to 30 days before its term, and shall automatically cease at the end of the respective period if the intention of renewal has not been expressly stated, in which case the appointee shall remain in the exercise of current management tasks until the appointment of the new office-holder.
2. A tenure may be terminated at any time, by notice of the national director, upon own initiative or at the request of the interested party, within a 30 or 15 days' notice, respectively.
3. Once a tenure has ceased, the worker shall return to the tasks and legal position previous held and the time of service rendered in the position of coordinator or head shall be counted to the career and rank to which the worker returns.

SECTION II

Remuneration system of non-managerial staff with coordinating or heading tasks

Article 70

Remuneration



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1. The remuneration of the positions referred to in Articles 63 to 65 and Articles 67 and 68 shall be fixed by order of the members of the Government responsible for the areas of finance and justice.
2. The staff referred to in Article 66 (1) and (2) shall receive the remuneration corresponding to the remuneration position and level in which they are placed in the career and rank.
3. The staff referred to in Article 66 (3) shall receive the remuneration corresponding to the first remuneration position in the rank of criminal investigation coordinator or chief inspector, depending on whether they perform the duties of coordinating a section or heading a squad.

TITLE III

Supervisory power over the Polícia Judiciária

Article 71

Inquiries, investigations, and disciplinary proceedings

1. The member of the Government responsible for the area of justice may order inspections, inquiries, and investigations of services of the PJ.
2. The member of the Government responsible for the area of justice, on own initiative or at the request of the national director, may order the opening of disciplinary proceedings to be carried out by the Inspectorate-General of Justice Services (IGSJ), recovered by said member or in which the application of the foreseeable penalty falls within the powers of that member.

Article 72

Supervision by the Public Prosecutor's Office

The supervision of the PJ by the Public Prosecutor's Office shall be exercised under the terms of Article 16 of Act No 49/2008 of 27 August 2008, as amended from time to time.



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TITLE IV

Financial, transitional, and final provisions

Article 73

Revenues

1. The PJ shall receive revenue from appropriations allocated by the State Budget.
2. The PJ shall receive revenue from transfers made by the public institute for financial management and equipment of the justice service (IGFEJ, I.P.).
3. The PJ shall be responsible for collecting the following own revenues resulting from its activity:
 - (a) amounts collected from the sale of publications and articles for institutional promotion;
 - (b) amounts collected for activities or services provided, namely training, performance of expertise and examinations, issuance of certified copies, and hard or digital copies;
 - (c) reimbursement of expenses incurred by the PJ in complying with requests for international judicial cooperation in criminal matters, the execution of which has been delegated to the PJ, covered by Article 144 (1) of Act No 144/99 of 31 August 1999, as amended from time to time; and
 - (d) any other revenue granted by law, contract, or on any other basis.
4. The amounts collected under the provisions of the preceding paragraph shall be paid to the PJ in accordance with the schedule approved by order of the member of the Government responsible for the area of justice.
5. The revenues referred to in paragraphs 2 and 3 shall be earmarked for the incurrence of PJ expenditure during the implementation of the budget of the corresponding year, and unspent balances may be carried forward to the next year.

Article 74

Expenditure



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1. The expenditure of the PJ shall result from expenses incurred in pursuing the assigned tasks.
2. As regards the import or acquisition of vehicles, computer equipment, telecommunications, electronics, laboratory, weapons, ammunition, and others equally used for the purpose of criminal investigation, security, and forensic expertise, intended to the activity of the PJ, the member of the Government responsible for the area of finances may, under the terms of the law, grant exemption from taxes, customs duties, fees and charges.

Article 75

Classified expenditure

1. The PJ may incur expenses subject to the system of classified expenses, as defined in this Article, in cases where the knowledge or disclosure of the identity of the service providers may endanger their life or physical integrity, or where the knowledge of the circumstances of the expenditure may compromise both the effectiveness and safety of investigation and investigation support activities.
2. Classified expenses shall be justified by a document signed by the national director.
3. Further rules of budgetary management of this type of expenditure shall be established by joint order of the members of the Government responsible for the areas of finance and justice.

Article 76

Appointment of workers of the subsisting careers to the position of head of sector or head of subsector

1. Workers integrated in the subsisting careers of senior specialist, specialist, assistant specialist, and support specialist, under the terms of the provisions of Article 97 of Decree-Law No 138/2019 of 13 September 2019, may be appointed to the position of head of sector as referred to in Article 67, provided that they cumulatively meet the following requirements:



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- (a) having at least four years of service in their career; and
 - (b) having completed the training course provided by the IPJCC.
2. Workers integrated in the subsisting careers of assistant specialist and support specialist, under the terms of the provisions of Article 97 of Decree-Law No 138/2019 of 13 September 2019, may be appointed to the position of head of subsector as referred to in Article 68, provided that they cumulatively meet the following requirements:
- (a) having at least three years of service in their careers; and
 - (b) having completed the training course provided by the IPJCC.

Article 77

Remuneration of non-managerial staff positions

1. Until the regulation provided for in Article 70 (1), workers performing the tasks set out in Articles 63 to 65, shall receive additional remuneration corresponding to half the level 2 value of the single salary scale.
2. Until the regulation provided for in Article 70 (1), workers holding the positions set out in Articles 67 and 68, shall maintain the remuneration perceived, on the date of entry into force of this Decree-Law, for holding the position of head of sector and head of subsector.

Article 78

Training course for holding the position of head of sector and head of subsector

1. The first training course, as referred to in Articles 67 (1) (b) and 68 (1) (b), shall be held within a maximum of one year after the entry into force of this Decree-Law, and the PJ, through the IPJCC, shall periodically ensure that subsequent training courses are held.
2. Until the date referred to in the previous paragraph, workers meeting the requirements may be appointed to the positions of head of sector and head of subsector.



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Article 79

Tenures

1. The tenures of the national director, deputy national directors, and liaison officers accredited to foreign States or international bodies shall remain in force.
2. Tenures in situations where, under this decree-law, the respective organisational units have a correspondence at the same level, shall also remain in force.
4. The remaining tenures of the managerial or non-managerial staff with coordinating or heading tasks shall cease on the date of entry into force of this decree-law, and appointees exercising current management tasks shall be retained as such until the appointment of the new office-holders.

Article 80

Toll exemption

PJ vehicles shall be exempted from paying fees on bridges and motorways.

Article 81

Purchase of vehicles for operational service

Vehicles used by the PJ shall be considered special vehicles for the purposes of Article 8 (1) (d) of Decree-Law No 170/2008 of 26 August 2008, as amended from time to time, and according to Act No 55-A/2010 of 31 December 2010.

Article 82

Complementary legislation and regulations

1. The respective regulatory legislation shall be published within 120 days from the entry into force of this decree-law.
2. Until the legislation referred to in the preceding paragraph is published, the regulations currently in force shall continue to apply, *mutatis mutandis*.

Article 83



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Repeal

1. The following are repealed:
 - (a) Act No 37/2008 of 6 August 2008, as amended from time to time; and
 - (b) Decree-Law No 42/2009 of 12 February 2009, as amended from time to time.
2. References made to the now repealed rules shall be construed, *mutatis mutandis*, as references to this decree-law.

Article 84

Entry into force

This decree-law shall enter into force on 1 January 2020.

Reviewed and approved by the Council of Ministers of 25 July 2019. - António Luís Santos da Costa - Maria de Fátima de Jesus Fonseca - Helena Maria Mesquita Ribeiro.

Promulgated on 6 September 2019.

For publication.

The President of the Republic, MARCELO REBELO DE SOUSA.

Countersigned on 9 September 2019.

The Prime Minister, ANTÓNIO LUÍS SANTOS DA COSTA.



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ANNEX I

(referred to in Article 49)

Listing of the managing positions	Classification of the managing positions	Degree	Number
National director	Senior	1 st degree	1
Deputy national director	Senior	2 nd degree	4
Director of a directorate	Middle	1 st degree	4
Director of the IPJCC	Middle	1 st degree	1
Director of the FIU	Middle	1 st degree	1
Director of the ARO	Middle	1 st degree	1
Director of a national criminal investigation unit	Middle	1 st degree	4
Director of a criminal investigation support unit (UPAT, UIC, UCI, UCSI, UAS)	Middle	1 st degree	5
Director of a specialised technical and scientific support unit (LPC, UPFC and UPTI)	Middle	1 st degree	3
Director of a central unit of the management and organisational development area and of the management control, performance evaluation, and inspection and disciplinary control area	Middle	1 st degree	5
Assistant director of a directorate	Middle	2 nd degree	4
Head of a criminal investigation department	Middle	2 nd degree	8
Head of a division	Middle	2 nd degree	7



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ANNEX II

(referred to in Article 50)

1. First-degree middle managers shall:
 - (a) define the acting objectives of the organisational unit they head, taking into account the general objectives established;
 - (b) guide, monitor and evaluate the performance, efficiency, and effectiveness of dependent services, with a view to implementing activity plans and achieving the established results;
 - (c) ensure the coordination of the activities and the technical quality of the services provided in their dependency;
 - (d) rigorously and efficiently manage human, property, and technological resources related to the organisational unit, optimising the means and adopting measures to simplify and speed up the procedures, taking into account the specificities of the mission of the PJ;
 - (e) authorise the performance of duties on a part-time basis;
 - (f) justify or disapprove absences;
 - (g) authorise holidays and their accrual;
 - (h) authorise the enrolment and participation of staff in congresses, seminars, colloquia, self-learning training courses, or other initiatives that take place on national territory when they do not imply costs for the service; and
 - (i) authorise staff to appear in court when so required or notified in accordance with procedural law.
2. Second-degree middle managers shall:
 - (a) assist the director of the organisational unit;
 - (b) perform professional monitoring at the workplace, supporting and motivating the workers, and providing the appropriate knowledge necessary for the exercise of the respective position or tasks, as well as promoting the appropriate procedures to increase the quality of the service;
 - (c) disclose to the workers the internal documents and rules of procedure to be adopted by the service, as well as to discuss and clarify the actions to be developed to meet the objectives of the service, in order to ensure the



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- commitment and assumption of responsibilities by the workers;
- (d) carry out an objective evaluation of the merit of the workers, according to individual and group results, and the way each one strives to achieve the objectives;
 - (e) identify the specific training needs of workers performing tasks in the organisational unit and, consequently, propose the attendance of training courses considered useful and necessary to suppress the needs, without prejudice to the right to self-training;
 - (f) effectively control the regular attendance, punctuality and fulfilment of the normal working period by the workers; and
 - (g) authorise the issuance of certified copies of documents filed in the respective organisational unit, except when they contain confidential or classified material, as well as the return of documents to the persons concerned.
3. The managers referred to in the previous paragraphs shall furthermore:
- (a) submit the annual report to the national director;
 - (b) exercise the powers delegated and further delegated by the national director; and
 - (c) exercise any other powers conferred upon them by law or regulation.
4. The heads of national or deconcentrated criminal investigation and operational support to criminal investigation units shall, in particular:
- (a) represent, manage, guide, and coordinate actions as regards crime prevention, detection, and investigation, as well as provide assistance to the judicial and prosecuting authorities in relation to offences falling within the competences of the unit; and
 - (b) coordinate the activity carried out by the relevant organisational criminal investigation unit, under the terms established by the national director.
5. Where there are no second-degree middle managers in the dependency of first-degree middle managers, the latter shall also be responsible for exercising the powers referred to in paragraph 2 (a) to (g).



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ANNEX III

(referred to in Article 57 (2))

Position	Remuneration/s alary level
National director	5,951.43 €
Deputy national director	120
Director of a national criminal investigation unit	120
Director of a directorate	120
Director of a central unit and technical support to criminal investigation unit	110
Director of the ARO	110
Assistant director of a directorate, director of a criminal investigation department, and head of division	90

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ANNEX IV

(referred to in Article 67 (2) and Article 68 (2))

1. The head of sector shall, in particular:
 - (a) head and guide the development of the activities of the respective organisational unit;
 - (b) enforce the directives, orders, and permanent service instructions, the application of which must be ensured;
 - (c) provide information requested by the superiors; and
 - (d) liaise between the various subsectors that are organisationally integrated in the sector headed.

2. The head of subsector shall, in particular:
 - (a) directly head and coordinate the workers integrated in the respective flexible unit and comply with the guidelines of the superiors;
 - (b) ensure the control of the performance of activities and tasks, as well as of the legal or superiorly set deadlines; and
 - (c) provide information requested by superiors.