



Review of policies and current situation in Portugal and Alto Tâmega region

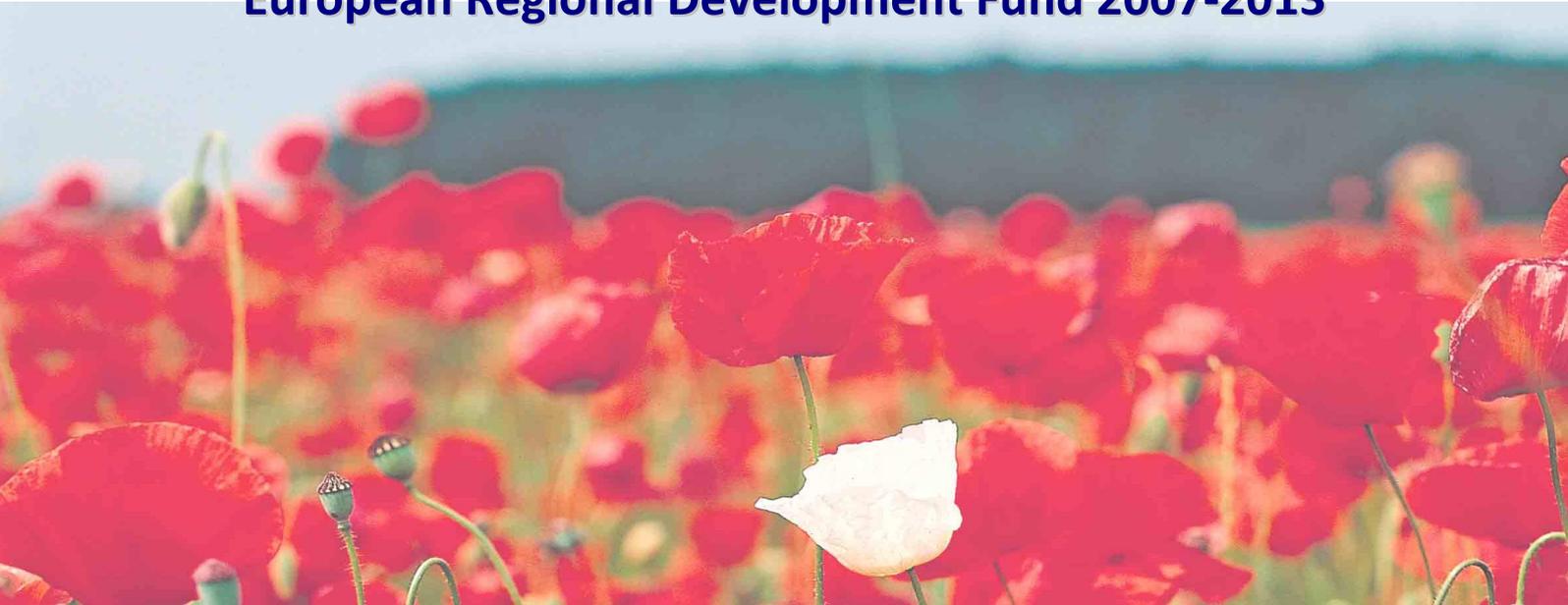
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1. POLICY ON NATURAL AREAS IN PORTUGAL AND ALTO TÂMEGA REGION

Map of Portugal and the northern part of Portugal (Braganca with Alto Tamega region)



Source: European Commission <http://europa.eu/abc/maps/>

1.1 THE NATIONAL LEGISLATION OF PORTUGAL GOVERNING THE FUNCTIONING OF NATURAL AREAS

List of policies (e.g. for UK the Environmental Protection Act 1990)

Lei de Bases do Ambiente – 11/ 87 (environment bases law);

Plano Nacional da Água – DL n.º 112/2002 (national water plan);

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Plano de Ordenamento do Parque Nacional Peneda-Gêres n.º 134/95 (Management plan for the national park);

Decreto-Lei 40/2005 (transposition to the Portuguese legislation of the birds directive – 79/ 409/CEE and the habitats directive - 92/43/CEE;

Resolução do Conselho de Ministros n.º 152/2001 – conservação da natureza e biodiversidade (national strategy for nature and biodiversity conservation);

Decreto regulamentar n.º 108/2009 – tourism activities rule

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Brief description

The policies above mentioned were introduced in this study, in order to see what advantages they have and what kind of improvements that can be done. The policies pointed out by ADRAT are all regarding environment protection and nature and biodiversity preservation.

The environment base law has the purpose of assuring the utilization of natural resources in a sustainable way, this way protecting the natural areas but having in account the well being of the population. This law foresees a correct expansion of the urban areas through a land planning and management, as well as the economic and social sustainable development, this way maintaining a balance between ongoing progress and nature preservation. The National Water Plan foresees a correct management of the hydraulic resources, it increases the population well being by imposing rules of water use, by adopting measures of water management. It instigates the tourism activities in the dams but with some restriction in order to minimize the pollution of the resource. The National management Plan for the National Park is manage locally by the National Park (which also responds to the Biodiversity and Nature Conservation Institute and the Environment Ministry). This plan regards everything within the park, natural and built heritage, natural resources, fauna, flora, etc. and also restrains the infrastructures (tourism or other) and tourism motor activities ins order to minimize the damage that these activities may cause in the wild life by imposing rules that the tourism operator must respect in natural areas. The birds and habitats directives transposed to the Portuguese law assures the protection and preservation of birds and habitats that are crucial to the environment balance, some of the protected species are already in danger, these policies are a way to protect them against a possible extinction. The ministry resolution for nature and biodiversity conservation foresees the nature and biodiversity conservation as well as the sustainable use of the biologic resources; it also motivates the training on nature and biodiversity protection articulating the sector policies and the European strategies for this matter. The regulation of tourism activities establishes the access conditions to the leisure enterprises and tourism operators, so that might be a balance so existence between these activities and the natural areas were, sometimes, they take place.

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1.2 THE EXISTING MANAGEMENT STRUCTURES OF NATURAL AREAS

Brief description of the designation (e.g. for UK National Parks, in France – Grand Sites)

In Portugal there are several designations of protected areas, such as:

National Park – it's an area with ecosystems with little modifications done by men, very characteristic natural regions, natural landscapes, geomorphologic areas or species' habitats with ecologic, scientific and educational interest. In Portugal there is only one National Park called Peneda-Gêres created in 1971.

Natural Park – it's an area with natural, semi-natural and humanize landscapes, with national interest, being an example of harmonize integration of human activity and nature and that presents characteristics of natural region. In Portugal there are 13 Natural Parks.

Natural Reserve – it's an area destined to the fauna and flora protection, and to maintain the natural processes in unalterable state. The coastline reserves are destined to protect the biodiversity maritime. The reserves are integrated in Protected Areas. In Portugal there are 10 Natural Reserves.

Protected Landscape – it's an area destined to protect rural an urban zones where aspects of population's culture and tradition, as well as the construction and conception of spaces, promoting the continuity of some activities (agriculture, field, craft, etc.). The protected landscape is an area with natural, semi-natural and humanized landscape, with regional or local interest as a result of a balanced interaction between men and nature. In Portugal there are 6 protected landscapes.

Natural Monument – it's a natural happening with one or more aspects that for its singularity or rarity in ecologic, scientific and cultural demand of the conservation and maintenance integrity. The Natural Monuments classified in Portugal are 6.

(text limit: 2000 characters by designation)

How it relates to other administrative structures (hierarchy of responsibility)?

Nevertheless the management being undertaken by the municipalities or public/private associations, it always has to have the approval of the Environment Ministry.

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How is it governed?

The protected areas in Portugal are managed by ICNB (*Instituto de Conservação da Natureza e Biodiversidade*) Biodiversity and Nature Conservation Institute. This Institute, besides being a national authority to nature and biodiversity conservation, it also assures the preservation and management of natural fauna and flora habitats, promoting and implementing actions, plans and programs. It also proposes the creation of classified areas and articulation between nature conservation and the sustainable use of natural resources.

Besides this organism there are a few natural areas that have the management of private and public

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organizations, and there are some cases that also are managed by the municipalities at a local and regional level.

The Biodiversity and Nature Conservation Institute have regional directors distributed by the regional structures which have jurisdiction at a regional level. The local level, as municipalities, have environmental depts that regulate the protected areas, which have autonomy in certain cases, but if the matter is infrastructural or major modifications, then the permissions come directly from the Biodiversity and Nature Conservation Institute.

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Is there a link to the legislation in 2.2 above?

All national policies, mention, are applied to all Portuguese territory and the maximum responsible is the Environment Ministry, and then the Biodiversity and Nature Conservation Institute. The management plans and the land planning it are referred to the respective region, since every region in Portugal has a specific land planning.

(up to 1000 characters)

Highlight activity that is good and why (e.g. partnerships working, management plans, autonomy of activity)

The fact of the private and public organisms and the municipalities having some authority in what concerns the natural areas provides a much more immediate results and outputs, since the measures are directly applied by these local/regional organisms becoming a quicker and more efficient process. This autonomy also allows that the creation of local partnership and cooperation with a management of these protected and natural areas proposes.

Example: The Ecomuseu is a good example of this description, it is a public body, with headquarters in Montalegre, and has several poles in different villages, some of them located in the National Park Peneda-Gêres. This organism operates within the park and has the autonomy to establishment agreements to cooperate in areas such as culture, active tourism, etc.

(up to 2000 characters)

2. POLICY ON ENTREPRENEURSHIP AND SMES DEVELOPMENT IN PORTUGAL AND ALTO TÂMEGA REGION

2.1 JUDICIAL FORMS OF BUSINESS CONDUCT IN PORTUGAL /ALTO TÂMEGA REGION

There are several judicial forms for SME in Portugal, such as:

- Individual entrepreneur – it is a enterprise constituted by only one individual or singular person, who provides his own goods to the exploitation of his economic activity;
- Individual enterprise of responsibility Limited – this form is constituted by an independent patrimony through which the singular person exploits his enterprise or activity;
- Uni-personal Society by quotes – it can be constituted by only one person or association, who is owner of all social capital;
- Civil Society with Commercial form - this kind of society hasn't the objective of being a practice of commercial or industrial activity, so it isn't considered as commerce activity. But it can adopt one of the society forms as it is foreseen in the commercial society code;
- Quote Society – it is a society with a limited responsibility, so the name of the enterprise must bear the name limited at the end. The social capital must not be inferior at 5.000 € and as it is divided in to quotes, each one must not be inferior 100 €;
- Anonymous Society – it is a society with limited responsibility and the partners limit their responsibility to the value of the actions subscribed by them;
- Society in Collective Name – it is a society with unlimited responsibility where the partners respond unlimitedly to the society and solidarity among themselves;
- Cooperatives – these are associations, permanently open to the entrance of new associates, who will contribute with goods and/or services to undertake an economic activity.

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2.2 ENTREPRENEURSHIP IN PORTUGAL

In Portugal, and based upon a study (national level) undertaken in 2005 and 2006 by the National Statistic Institute, the main obstacles that the entrepreneurs find in the selling of products/services is the strong and aggressive competence (75.4%) and weak demand for their products/services (23.3%). Other barrier is the price fixing of (22.5%) and a lack of marketing knowledge (10.2%). Some barriers to the development of the activity are also indicated: low profit (55.3%), availability of loans from banks (24%), staff costs (42.3), qualified personnel (32.5%), etc.

One of the main reasons pointed for the foundation of enterprises is the perspective of earning more money (47.5%) and new challenges (44.6%).

The commerce sector is most preferred by the majority of the entrepreneurs (31.7%), following the real estate, renting and services to enterprises (17.6%), construction (17.5%), transforming industry (15.5%), food distribution (13.4%), transports (9.9%) and Lodging and restaurants (7%).

The majority of the young entrepreneurs are men (85.5%) and the majority of the entrepreneurs have more than 40 years old (55.7%).

The main financial sources that the entrepreneurs reach are their own savings (87.2%) and bank loans (26.1%). There are also financing funds (structural funds) that support SME, especially what concerns the creation of enterprises, employees and employers' training, consulting, etc., there was also the credit to the tourism investment, with bank protocols, which concede a credit line destined to investments of entrepreneur nature in tourism projects;

Half of the entrepreneurs have the basic school (51.2%) and the entrepreneurs that have basic and secondary school represent more than 2/3 of the total entrepreneurs. With medium or high education we can find only 15.7% of the total.

According to the Portuguese Economy Ministry and base on data given by National Statistic Institute (*Source: INE (1998)*), the medium enterprise dimension in Portugal is much reduced (10.6 workers per enterprise) and in SME case the number get to 8 workers. According to the legislation (Normative n.º52/87, n.º38/88 and DR n.º102/93, series III) SME are enterprises that have up to 500 workers and cannot overpass the 11.971.149 Euros of annual selling, among other specifications. In Portugal there are 214.527 SME with a 120,8 million thousand Euros business amount. SME represent in Portugal 99.5% of the entrepreneur tissue and manage 74.7% of the employment and undertake 59.8% of the national business volume.

The distribution of the SME by region is the following: 37.9% Lisbon and the valley; 30% North and 23.7% Centre region. 99.9% of the tourism enterprises in Portugal are SME.

Concerning the loans, it depends on the banks and the minimum amount to start business is 5.000€. The average amount of loan for a SME is a maximum of 750.000,00 euros, in 2005 (latest data) there were 85 715

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enterprises creditors, 40% of these loans go to the real estate and construction sectors.

The main characteristics of the companies operating over 5 years in the market are from the commerce area and have a high business volume. This sector is also the one that creates more employment.

The measuring methods of business registration and closure is the Ministry of Justice inscription and closures registers, this is mandatory for every enterprise starting the business must do the inscription in the Ministry and when it closures, the official communicate that is in fact closed is given by the Ministry.

In 2006 there were 26 148 enterprise constitutions and 8 905 closures.

When the enterprise closes the dissolution process and liquidation of the society is simple, all partners must be aware of the closure, and also must agree. It must be detected the cause of closure and the process must taken to the Conservatory, and only in cases of liquidation the process must be taken to Court.

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2.3 ENTREPRENEURSHIP IN ALTO TÂMEGA

In Alto Tâmega's region there are operating 7 734 enterprises, distributed by 6 municipalities. 80% of these enterprises are located in Chaves, Valpaços and Vila Pouca de Aguiar. In Alto Tâmega the enterprises are all SME, there are 7539 enterprises with less than 10 workers; 171 enterprises with 10 – 49 workers; 24 with 50 – 249 workers. (data from last year – 2009).

The SME are distributed by the following sectors: commerce (32%) services (12.75) and construction (11.8%). 31% of these enterprises have less than 5 years and 68% have less than 15 years. The region's entrepreneurship is very low; more than 90% of the enterprises of the region are small and have less than 9 workers. The major part of these enterprises is quote societies, and the business volume of more than 80% of the enterprises doesn't pass the 250.000 Euros. This SME financial situation is stable but a significant percentage has a probability of bankrupt. The sectors with more potential are: agencies/consulting/propriety administrators (16%); agents/insurance (5.9%); granite extraction (4.2%); construction (3.4%), etc.

In Alto Tâmega there are 2 186 enterprises distributed by the following areas: commerce – including tourism (41,54% - 908 enterprises); manufacture (11,12% - 243 enterprises). There aren't any data about the tourism enterprises alone.

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According to data from 2005 there were 188 enterprises created and 44 closed.

The SME employ 10 545 persons distributed by the following areas: commerce and tourism activities (29% - 4163 employees); construction (19% - 2782 employees); manufacture (15% - 2228 employees); real estate and services (6% - 908 employees); transports (3% - 464 employees).

The total amount of the business volume is: 663 223 M Euros in the Alto Tâmega region. The social capital of the enterprises is: 6% between 1.0001.000 and 5.000.000; 1.1% between 501.000 and 1.000.000; 8.8% between 100.001 and 500.000; 8.3% between 50.001 and 100.000; 16.5% between 5.001 and 50.000; 21.5% less than 5.000.

70.2% of the enterprises have beneficiated of financial support to investment; 72.9% have had technical support and 70.2% have had easy access to facilities. 81.8% have invested around 5.000/year in innovation and development; 9.1% between 5001 and 20.000; 9.1% between 20.001 and 500.000.

(up to 3000 characters)