



Use of electronic money (EM) and payment service providers (PSPs) as a legal framework for the implementation of such means of payment, Portugal

Project MedTOWN

Co-production of social policies with social and solidarity economy actors to fight poverty, inequality and social exclusion.

QUESTIONNAIRE PROJECTS PHASES AND LOCAL PARTNERS. MEDTOWN PROJECT. 3rd LOT.

DEMONSTRATIVE ACTION. Name: Agroforestry of Bela Flor and Time Bank of Campolide **MUNICIPALITY, REGION AND COUNTRY ACTION:**
Campolide – Lisbon - Portugal

BRIEF DESCRIPTION OF CONTEXT:

The Parish of Campolide is located in the City of Lisbon, in the central-western area, bordering a vast forested area, the Monsanto Park, which is Lisbon's main "lungs". It encompasses a heterogeneous territory, with middle and upper-middle class areas and Municipal Housing neighborhoods, where the most disadvantaged populations live. The neighborhood where Agroforestry is located is precisely a Municipal Housing neighborhood and there is also a Housing Cooperative.

With Time Bank, the aim is precisely to encompass people from different social classes, interconnecting them through its services. Offered and demanded.

ARRAY TO BE FILLED IN:

Nº	ASPECTS TO BE REPORTED	ACTIONS	OTHER ACTIONS/ DISCLAIMERS	OTHER DISCLAIMERS
1 ¹	Existing applicable legislation governing EM and PSPs	There are no applicable legislation governing EM and PSPSs.	There are no applicable legislation governing EM and PSPSs.	There are no applicable legislation governing EM and PSPSs.
2	Purpose of the regulation	There are no applicable legislation governing EM and PSPSs.		
3 ²	Theoretical Consideration- Definition of EM and PSP	There are no applicable legislation governing EM and PSPSs.		There are no applicable legislation governing EM and PSPSs.

¹ Especially related to the Social Solidarity Economy (SSE).

² Necessary for making comparative terms of equivalent concepts

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	(According to regulations)		
4	Scope of application of EM and PSPs legislation	There are no applicable legislation governing EM and PSPSs.	There are no applicable legislation governing EM and PSPSs.
5	Stakeholders Involved in EM and PSPs	There are no applicable legislation governing EM and PSPSs.	
6	Administration - competent legislative body EM and PSPs	There are no applicable legislation governing EM and PSPSs.	
7	Administration - competent executive body EM and PSPs	There are no applicable legislation governing EM and PSPSs.	
8	Measures promoting or encouraging EM and PSPs	There are no measures promoting or encouraging EM and PSPSs.	There are no measures promoting or encouraging EM and PSPSs.
9	Other EM and PSP related legislation	There are no other EM and PSP related legislation.	
10	Possibility of creating new EM and PSP legislation	It will not be easy to create new EM and PSP legislation, as there would have to be legislative initiatives by political parties (predictably on the left) in the Assembly of the Republic, or else a political decision by the Government. In any case, RedPES - Portuguese Solidarity Economy Network, can play a fundamental role in this field, putting	At national and local levels.

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	pressure on political parties and the Government and presenting proposals.		
11 Possibility to amend existing legislation EM and PSP	There are no applicable legislation governing EM and PSPs.	There are no applicable legislation governing EM and PSPs.	
12 Problem identification/Regulatory implementation EM and PSPs	There are no applicable legislation governing EM and PSPs.	There are no applicable legislation governing EM and PSPs.	
13 EM, PSP regulation and others applicable to the Demonstration Action (Concrete Project)	As there is nonlegislation or legal framework for EM and PSP, this issue is not applicable to the DA of this Project.		
14 Is there specific legislation empowering a local authority or other public body to use electronic money and other means of payment?	No, there is no specific legislation empowering a local authority or other public body to use electronic money and other means of payment.	No, there is no specific legislation empowering a local authority or other public body to use electronic money and other means of payment.	
15 Are there PSPs other than legal tender provided by financial institutions?	No, there are no PSPs other legal tender provided by financial institutions.	No, there are no PSPs other legal tender provided by financial institutions.	No, there are no PSPs other legal tender provided by financial institutions.
16 In addition to the state/government and related banks (central	No, there are no other institutions that can act as PSPs.		

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	banks), are there other institutions that can act as PSPs?		
17	Is there any legal security (insurance) coverage to support e-money and PSP related to SSE?	There is no legal security (insurance) coverage to support e-money and PSP related to SSE.	There is no legal security (insurance) coverage to support e-money and PSP related to SSE.
18	Is there an inventory, ledger or similar document that records and preserves the transactions carried out by the PSP?	There is no inventory, ledger or similar document that records and preserves the transactions carried out by the PSP. There are academic researches (Master's theses, mainly in the Master's degree in Social and Solidarity Economy of ISCTE-IUL, or PhD) on transactions carried out by the PSP.	There is no inventory, ledger or similar document that records and preserves the transactions carried out by the PSP. There are academic researches (Master's theses, mainly in the Master's degree in Social and Solidarity Economy of ISCTE-IUL, or PhD) on transactions carried out by the PSP.
19	Are services paid for through EM and PSP subject to VAT, social security or other similar taxes and charges?	As EM is non-legal and semi-clandestine, it is not subject to VAT, social security or other similar taxes and charges. But PSPs, as they have no specific legal framework, are subject to the general legal conditions, so they are subject to VAT, social security or other similar taxes and charges.	
20	Is there any kind of legal security (insurance) coverage to support the use of e-money and PSP and related to SSE?	There is no kind of legal security (insurance) coverage to support the use of e-money and PSP and related to SSE.	There is no kind of legal security (insurance) coverage to support the use of e-money and PSP and related to SSE.

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21 Personal Data Protection, Health and Safety: do e-money and PSP issuers cover these legal aspects vis-à-vis users?	As there is no specific regulation pr legal framework for e-money and for PSP, their users are not covered in these legal aspects of Personal Data Protection, Health and Safety.		
22 Other issues to highlight	As EM is not recognized and PSP has no specific regulation, it would be important to take actions for their recognition and legal framework. In this sense, the role of RedPES - Portuguese Network of Solidarity Economy, as well as universities and researchers linked to this field of SSE, would be important.		

CHALLENGES & RECOMMENDATIONS:

The main challenge is to make Solidarity Economy recognized in its own characteristics and specificities and in the innovations it brings, in comparison with Social Economy. Consequently, this recognition must be translated into legislation and CM and EM regulations,, which includes Solidarity Economy.

It is recommended that the RedPES - Portuguese Solidarity Economy Network, together with the universities that research and teach in this area (mainly ISCTE-IUL and the Faculty of Economics of Coimbra University), promote initiatives so that there may be party proposals in this sense and so that there may be local authority policy measures that support Solidarity Economy.

MEASURES TO BE IMPLEMENTED:

The main measure to be taken is to adapt the legislation to the existence of the new reality, which is the Solidarity Economy. For this, it is necessary that some parties also assume this role.

In addition, it is necessary to reinforce the measures to support the financing of these organisations and initiatives, in more favourable conditions, and also the exceptional measures of tax and social security contribution reductions.

OTHER INTERESTING SUGGESTIONS/NOTES:

It would be interesting to be in contact, as a collective Project, with the reflections, debates and initiatives of RIPESS - Europe (Intercontinental Network for the Promotion of Social and Solidarity Economy) and with XES - Catalan Network of Solidarity Economy, namely with its Annual Solidarity Economy Fair

IDENTIFIED CONFLICTING ISSUES (if any):

Nothing to point out.

EXAMPLES OF ACTIONS DEVELOPED IN THE FIELD OF SSE IN THE COUNTRY, REFERENCES AND HOW THEY HAVE BEEN DEVELOPED (if any):

There are several experiences of Solidarity Economy, linked to Permaculture and Synthropic Agriculture, in various rural regions, especially in the South (for example, Montemor-o-Novo, Herdade do Freixo do Meio and Terra Sintrópica). Despite the fact that all of them are undertaken in predominantly rural territories of the country, their experience is extremely valuable to us, given the objectives, the means of co-production and management and the partnerships they have developed with local public authorities.

There are also 25 experiences of Time Banks in Portugal, in several regions, all of which are framed and supported by GRAAL (Association of Social and Cultural character), with whom we are in permanent contact.