

Proposed Law on the Implementation of the Digital Services Regulation

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On September 19, 2025, Draft Law No. 25/XVII/1.^a (GOV) was approved in a general vote by the Portuguese Parliament, establishing the national framework for the implementation of Regulation (EU) 2022/2065 (DSA). The law will now be discussed and voted on its specific provisions.

Although the DSA is already in force and directly applicable in the European Union, this law is essential for companies and entities operating online, as it establishes the competent national authority, supervisory procedures, rules for cooperation with other regulators, and the applicable penalty regime.

Entities covered

The Draft Law will implement the DSA in Portugal and is especially important for:

- i. Intermediary service providers, which include activities such as data transmission, temporary storage (caching) and content hosting. These include digital platforms, cloud computing services, content delivery networks (CDNs), marketplaces and social networks.
- ii. Online platforms, including very large platforms and very large search engines, subject to increased obligations to assess and mitigate systemic risks.

As Digital Services Coordinator, ANACOM will have broad investigative and enforcement powers, including the power to:

- i. request information from intermediary service providers and third parties that may have relevant data;
- ii. inspect premises and collect evidence of alleged infringements;
- iii. order the cessation of infringements and impose corrective measures;
- iv. impose fines and financial penalties for non-compliance;
- v. adopt provisional measures to prevent serious damage.

If, after exercising these powers, an infringement persists and causes serious damage, ANACOM may also request the competent judicial authority to temporarily restrict access to the interface where the infringement occurs.

Penalty regime

ANACOM may impose fines of up to 6% of the respective annual worldwide turnover achieved in the financial year immediately preceding the decision.



Thinking about tomorrow? Let's talk today.

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