

Crypto regulation in Portugal

December 2024

Total pages: 71

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The full report you can download on the website.

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Overview



Portugal's regulatory status

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Virtual Asset Service Providers

Regulated



Token Issuance

Regulated



Crypto Mining



Not Regulated

DAOs



Not Regulated

Crypto payments

Allowed



Status: positive

Regulator: Bank of Portugal

What is MiCA?

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In September 2020, the European Parliament introduced a draft regulation for the crypto-assets market, known as MiCA (Markets in Crypto-assets Regulation). This initiative aims to create a unified set of rules for issuing and trading crypto-assets across the 27 EU member states.

MiCA was officially adopted in April 2023, came into force in June 2023, and is being phased in gradually. Its rules started applying to stablecoin issuers on 30 June 2024 and will cover crypto-asset service providers (CASPs) from 30 December 2024.

What Is MiCA and Why Does It Matter?

MiCA's goal is to provide legal clarity and consistent standards for crypto-assets not already regulated under existing EU financial laws. By setting these rules, MiCA ensures crypto-asset issuers and service providers can operate across all EU member states without needing separate approvals for each country.

Key Features of MiCA:

- **Uniform Rules:** A single framework applies across the EU, simplifying compliance for businesses.
- **Transparency & Disclosure:** Clear requirements for how crypto-assets are issued and traded.
- **Consumer Protection:** Safeguards for investors and measures to prevent market abuse.
- **Broad Coverage:** Includes utility tokens, e-money tokens, and asset-referenced tokens (stablecoins), but excludes non-fungible tokens (NFTs). However, MiCA can still guide NFT projects on best practices for transparency and investor protection.

What is MiCA?

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Benefits of MiCA:

- **Harmonised EU Market:** Businesses can offer services across the entire EU without seeking approval in each country.
- **Clear Guidance for Businesses:** Rules promote honesty, fairness, and professionalism, with requirements like publishing a white paper for public offerings.
- **Strong Supervision:** National authorities will oversee compliance, ensuring high standards.

How Does MiCA Compare to Other Regulations?

While MiCA focuses on crypto-assets like stablecoins and utility tokens, security tokens are regulated under the EU's long-standing Markets in Financial Instruments Directive II (MiFID II). This separate framework provides structured oversight for security tokens, ensuring they meet stringent financial standards.

Opportunities and Challenges:

- **Opportunities:** The EU's unified market and focus on investor protection make it an attractive destination for large-scale crypto projects.
- **Challenges:** High tax burdens and limited banking options for crypto businesses in the EU can pose hurdles.

Who Does MiCA Apply To?

MiCA applies to individuals and businesses involved in issuing, offering, or trading crypto-assets within the EU.

Portugal MiCA's implementation

Transitional period for existing CASPs

Portugal has not announced the length of a transitional period for existing CASPs yet.

[to read more - buy the report](#)

About us



CryptoMap reports: unlock your crypto success

D&A

I want to operate a crypto exchange. What should I do?

Is crypto mining legal?

Do I need to pay taxes?

How can I launch a DAO?

The report will help you answer these and other questions, providing a roadmap to stay compliant in the ever-evolving crypto world.

What is white paper, and do I need it?

Do I need to stay compliant with AML laws?

I want to issue tokens but unsure about the regulations

Can I pay with crypto?

CryptoMap: unlock your crypto success

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Perfect match



CryptoMap algorithm asks you questions, and, based on your answers provides you with a list of suitable jurisdictions.

Step-by-step approach



All CryptoMap reports contain a comprehensive roadmap to enable a smooth launch of the project.

5 crypto businesses



CryptoMap is designed to help you with any crypto project: VASPs, token issuance, crypto mining, DAOs, crypto payments.

Document checklist



Each CryptoMap report provides a list of essential documents to ensure a smooth launch.

In-depth analysis



Each CryptoMap report is the product of a thorough analysis conducted by experts, covering not only digital assets framework but also tax, AML/CFT, and compliance matters.

On-going updates



CryptoMap stays on top of regulatory changes for you, ensuring you remain up-to-date.

Get unique insights



Each CryptoMap report includes exclusive Tips & Tricks from D&A Partners, offering practical insights tailored for crypto entrepreneurs.

Accessibility & Expertise



CryptoMap provides easy access to expert legal guidance, once exclusively available to major players. With 10+ years of experience, our team is well-equipped to support your project.

OUR TEAM

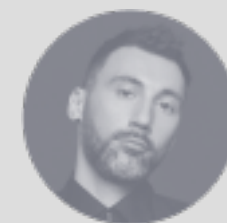


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Smirnova**

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In practice since 2006, admitted to the bar in 2009

Specialises in competition law and strategic advisory in digital markets, web3 projects.



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In practice since 2003

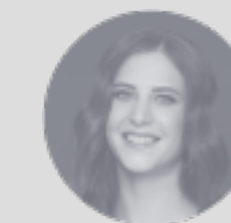
Specialises in digital law, corporate law, US securities and compliance, crypto transactions, NFT, DAO, and DeFi.



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Lobuteva**

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Specialises in English law, business and transactional law, the regulation of crypto assets worldwide, and blockchain projects support.



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Specialises in economic research, competitive analysis, pricing strategies in digital markets, tokenised assets and CBDCs.

ABOUT US & OUR SERVICES

[D&A Partners](#) — a consulting bureau specialising in legal, strategic, and economic advisory services focused on digital markets.

We provide comprehensive support for your blockchain and crypto ventures:

VASP Setup & Licensing: Seamlessly establish and licence your Virtual Asset Service Provider.

AML Compliance: Navigate regulatory landscapes with our Anti-Money Laundering expertise.

ICO & STO Assistance: We ensure successful token offerings from tokenomics to white papers and SEC filings.

NFT Projects & Marketplaces: We can help you launch your NFT vision, including smart contracts, platform solutions, and decentralised organisations (DAO).

Crypto Mining: Get expert guidance on setting up and optimising crypto mining operations.

Transactional Model Structuring: Tailor your business setup with corporate structuring, including trusts, IP protection, and a robust contracts framework.

OUR PROJECTS

[IOGINALITY Marketplace](#)

We successfully launched an NFT marketplace, developed comprehensive legal frameworks for the transfer and distribution of IP rights among participants, and initiated sales across Hong Kong, UAE, and the UK.

[Legal framework for Entangle ecosystem](#)

We provided comprehensive legal consultancy, aiding in the creation of a robust transactional system. Our services included drafting Terms of Service, developing model contracts with potential parties and partners, and establishing legal entities and trusts.

[DAO for real estate](#)

We developed a mechanism for selling real estate (registered in the UAE). We registered NFT SPVs and DAO LLC, as well as provided tokenomics and cost analysis.

[NFTMASTERS projects](#)

We launched NFT projects for the Grand Egyptian Museum, State Hermitage Museum, Multimedia Art Museum, and modern art galleries. The total value of art sales through our NFT projects is ~ \$1 million.

D&A Partners Overview

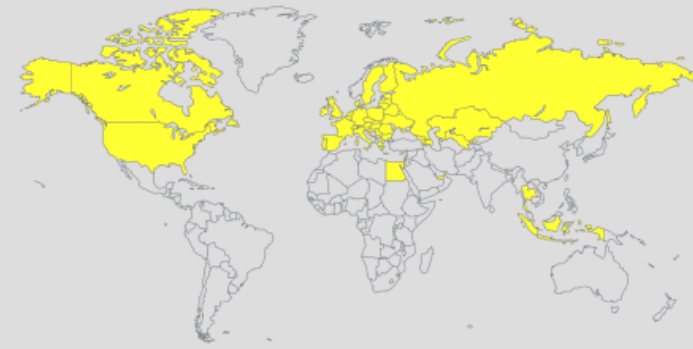
20+

years of legal experience



Global Expertise

A team with English, American, and European higher education



Geography of our projects

Fields of Work and Competence

Legal Expertise

- Digital Law
- Competition Law
- IP & IT Law
- GDPR & Data Protection
- Corporate Law
- Criminal Law



Compliance

- KYC / KYB
- AML
- Due Diligence

Business and Market Expertise

- Market Analysis
- Business Digital Transformation
- Integration of New Technologies
- Economics, Tokenomics, Financial Modelling



Digital transformation

- Web3
- Metaverse
- Crypto assets
- Blockchain

Crypto-Related Projects

Tokens

Developed the world's first token pledge



White Paper Drafting

From concept to completion, ensuring the vision and structure of the project



15+

Crypto Payment Integrations

Developed transactional models for integrating crypto payments into business processes

50+

Global Crypto Compliance

legal memoranda on crypto regulation frameworks

NFT Expertise

\$800K^{USD}

in proceeds from an NFT drop

NFT Market Achievements

- Managed 1st world's museum NFT auction
- Launched an NFT marketplace from strategic analysis to sales
- 10+ NFT drops



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3+

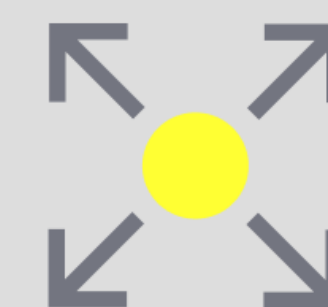
Licensing Services

- Crypto Exchange Registration Broker Licensing, Money Transfer Licence
- Electronic Payment & Digital/Cryptocurrency Payment Licences

Web3 Contributions

DAOs

Created and registered as LLCs 2 Decentralised Autonomous Organisations



Decentralised Ecosystems

Developed decentralised systems for one of the biggest banks in Europe and social network



Contacts

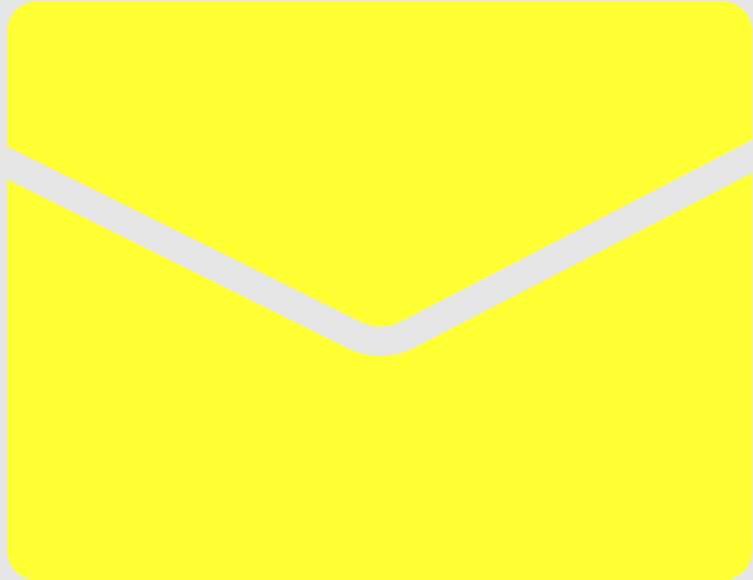
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If you would like to
schedule a consultation with us
or if you have any questions



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