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**Central Register of
Beneficial Ownership (RCBE)
Confirmed as an accreditation
document by IMPIC**

IMPIC N.º CCP 8/2024

The Institute of Public Markets, Real Estate and Construction, I.P. (IMPIC), recently released its Technical Guidance No. CCP 8/2024, **dated September 27th**, highlighting that while proof of registration in the Central Registry of Beneficial Owners (RCBE) is not explicitly listed as a qualification document in the Public Contracts Code (CCP), it is required by the terms of its legal regime (RJRCBE), approved by Law No. 89/2017, of August 21st.

Although the RCBE is not expressly mentioned in Article 81 of the CCP as a qualification document, **a document proving the bidder's regular tax situation is required at that stage of the procedure.**

However, under article 36, paragraph 1, of the RJRCBE, the presentation of the RCBE is **required at all times when proving the regular tax situation.** Therefore, the RCBE ultimately constitutes a qualification document. And it will be so regardless of whether the contracting authority requires its presentation in the tender specifications.

Nevertheless, contracting authorities are recommended to require the presentation of the RCBE in the tender specifications, thus clarifying any potential doubts.

Without the presentation of the RCBE, **the public contract cannot be awarded**, due to the institute of the forfeiture of the award (Article 86 of the CCP), as well as due to Article 37 of the RJRCBE.

Finally, the IMPIC notes that even in the context of excluded contracting, concerning contracts whose formation phase does not follow Part II of the CCP and, consequently, the presentation of qualification documents is not mandatory, **the verification of the RCBE must still be carried out during the contract execution phase**, being an essential condition for any payments to be made by the public entity.



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