

# THE PORTUGUESE DEBARMENT SYSTEM FOR THOSE CONVICTED OF CORRUPTION

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**Abstract:** *Public Procurement is a friendly environment to corrupt activities, regarding public officials and suppliers. In this article we are going to focus on a mechanism that intends to deter corrupt suppliers from participating in a public tender — the debarment system for corrupted behaviors in the Portuguese legal framework. The Portuguese debarment system for corrupt suppliers (article 55 i) of Portuguese Public Procurement Code (PPPC) raises a number of issues that go from the definition of corruption to the time limits that are applied to these issues and the mechanism of self-cleaning. The purpose of this article is to identify and highlight the main issues of article 55 i) of PPPC, by given a National and European perspective of the state of art and consequently proposing some solutions.*

## 1. A context of recession — Portugal, Corruption and Public Procurement

Portugal is facing a profound economic recession due to an almost unparalleled financial crisis affecting the euro-zone that forced the Portuguese Government to sign a *Memorandum of Understanding*, on May 5, 2011 with the European Commission, European Central Bank and the IMF (*Troika*), in order to secure the sustainability of the public finances. Consequently, the Government and the Parliament have adopted strict constraints on public expenditure that pose some *challenges* for