

**Regulamentary Decree No. 11/93  
of 16 July 1993**

Amongst the various parabanking institutions enunciated in No.2 of Article 14 of Decree-Law No. 52-E/90, of 4 July, de 4 de Julho, stood out the investment companies that may come to constitute a valid dynamic instrument in the investment and in the financial market.

It is therefore necessary to create a legal framework for the investment companies to permit their intervention in financial operations and the access, under certain conditions, to financial resources existing in the market.

Under these terms,

In the use of the faculty conferred by subparagraph b) of No. 2 Article 217 of the Constitution, the Government decrees the following:

**Article 1  
(Definition)**

The investment companies are parabanking institutions that have as exclusive objective the executions of financial operations and providing related services, unde

- c)* Grant medium and long-term credit to national exportation, under the terms of the applicable legislation;
- d)* Provide guarantees that assure compliance with the obligations assumed by companies, as long as such obligations were assumed for purposes identical to those referred to in Article 5 and in No. 2 of Article 7;
- e)* Underwrite obligations and other titles of negotiable debts, emitted by national companies under public or private law;
- f)* Take firm actions, obligations and other negotiable debt titles, emitted by national entities, as well as intervene, in any other way, in the preparation or in the placement of emissions of such titles;
- g)* Promote, for the benefit of the national companies, the acquisition of credits at medium and long term before credit institutions or foreign or international financial establishments by authorization to be obtained under the terms of the applicable currency exchange legislation;
- h)* Offer funds in the interbanking monetary market and in the interbanking titles market.

#### **Article 5**

##### **(Promoting Investment and Restructuring the Companies)**

The investment companies may also execute the following operations:

- a)* Promote the start up of new companies;
- b)* Promote the economic and financial restructuring of the companies in whose capital they participate;
- c)* Participate in actions tending to recover other companies in deficient economic or financial situation.

#### **Article 6**

##### **(Providing Other Services)**

The investment companies may provide the following service, for pay:

- a)* Perform technical-economic feasibility studies of companies or new investment projects, as well as the conditions and modes of the respective financing;
- b)* The execution of studies and projects seeking the reorganization, grouping, or any other form of rationalization of the

**Article 7**  
**(Credit Operations)**

1. The investment companies may execute medium and long term credit operations that result from the application of their own capital and of other resources they are permitted to capture in accordance with Article 8.
2. The medium and long-term credit operations referred to in the preceding number must have as the following objectives:
  - a)* Provide their beneficiary companies with resources with a view to the financing of fixed capital investment, the restructuring of the permanent petty cash or the consolidation of debts, in the latter case in connection with the actions tending to restructure or recover the companies;
  - b)* Finance the national exportation.
3. In the medium or long-term cr

*b)* The participation in the capital of companies with main office outside the country, as well as

their activities, without prejudice to other measures and of the sanctions foreseen in the law.

**Article 15**  
**(Effective Date)**

This legislation goes into effect on 1 September 1993.

Viewed and approved in Conselho de Ministros - Eurico *Monteiro* — José *Tomás Veiga*.

Promulgated on 9 July 1993.

Publish it:

The President of the Republic, ANTÓNIO MANUEI MASCARENHAS GOMES MONTEIRO.

Referended on 9 July 1993.

The Interim Prime Minister, *Eurico Monteiro*.