



José Carlos Soares Machado

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➤ **PROFESSIONAL EXPERIENCE (LAW)**

- Senior Partner at SRS Legal, in charge of the Arbitration area of expertise;
- Partner at SRS Legal (*Sociedade Rebelo de Sousa & Advogados Associados, RL*), head of Litigation and Arbitration Department (2010/2023);
- Visiting Professor at the Faculty of Law of Lisbon New University (2010/2018);
- Chairman of the Board of Circle of Litigation Lawyers (2012/2018);
- Founding partner of "*Soares Machado & Associados - Sociedade de Advogados, RL*", Lisbon (1991/2010);
- Legal Consultant and Head of Litigation at *Associação Lisbonense de Proprietários* ("Lisbon Owners Association") (since 1986);
- Junior Assistant of Constitutional Law - Faculty of Law, University of Lisbon (1976/77);
- Member of the Portuguese Bar Association (since 1978);
- Lawyer and Trainee at law firm Sá Borges, Simões Correia, Diogo Duarte, Lisbon (1976/1978).

➤ **PROFESSIONAL EXPERIENCE (LITIGATION, NATIONAL AND INTERNATIONAL ARBITRATION AND MEDIATION)**

- Lawyer in several hundreds of judicial court cases, of major complexity, in the areas of commercial law, banking and financial law, construction development and real-estate law, white collar crimes and litigation, with interventions on the Supreme Court and the Constitutional Court (since 1978).
- Arbitrator in several national and International Arbitration cases, *ad hoc* and institutional (since 1993);

- Mediator, in pre-arbitration proceedings (namely in a recent and important case between an African country and a US company);
- Member of the *Commercial Arbitration Committee* of INTERNATIONAL LAW ASSOCIATION (ILA);
- Member of the Commercial Arbitration Practice Council of the PORTUGUESE ARBITRATION ASSOCIATION.
- Arbitrator member of the following Arbitration institutions:
 - a) *Commercial Arbitration Center* of the *Portuguese Chamber of Commerce and Industry* (ICC);
 - b) *OHADA Common Court of Justice and Arbitration* (TCJA);
 - c) *Corte Civil y Mercantil de Arbitraje* in Madrid (CIMA);
 - d) *Arbitration Center of the Portuguese-Spanish Chamber of Commerce*;
 - e) *CONCORDIA Mediation and Arbitration Center*;
 - f) *Arbitration Center for Real Estate Dispute* (ALP);
 - g) *Liberal Professions Arbitration Center* (OAP).

➤ **PROFESSIONAL EXPERIENCE (PUBLIC AND PRIVATE COMPANIES)**

- Head of Administrative Department at *Santa Casa da Misericórdia de Lisboa* (1977/79);
- Chief of Cabinet to the Minister of Labor (1979/80);
- Secretary-General of *Santa Casa da Misericórdia de Lisboa* (1980/82);
- Member of the Board of Directors of the group of chemical companies "Indústrias Pereira e Brito, S.A.", (1982/83);
- Legal Adviser to the Public Litigation Department of the Ministry of Social Affairs (1984/89).

➤ **OTHER POSITIONS (PORTUGUESE BAR ASSOCIATION AND MINISTRY OF JUSTICE):**

- Member of the National Council of the Portuguese Bar Association (1993/1995);
- Member of the Editorial Board of the legal journal *Lei Magazine* (1994/1995);
- Member of the IV Congress of the Portuguese Bar Association, Funchal (1995);
- Chairman of the Lisbon Council of the Portuguese Bar Association (1996/1998);
- Runner-up for National President of the Portuguese Bar Association (1999);
- Member of the jury for candidates admission in the Center for Judiciary Magistrates, Lisbon (1999/2008);
- Member to the V Congress of the Portuguese Bar Association, Lisbon (2000);
- Member of the Supreme National Council of the Portuguese Bar Association, (2002/04);

- Runner-up for President of Supreme National Council of the Portuguese Bar Association(2013);
- Member of the committee for Disciplinary Control of Insolvency Administrators Committee, (representing the Minister of Justice) (2004/14);

➤ **COMPLEMENTARY PROFESSIONAL EDUCATION**

- Masterclass for Arbitrators – ICC Institute of World Business Law, Paris (2012);
- Negotiation for Lawyers – Harvard Law School, Cambridge, (1995);
- International Commercial Law – Harvard Law School, Cambridge (1995);
- International Contracts – University of Lisbon School of Law (1990);
- European and Competition Law – University of Lisbon Law School (1989);
- Corporate Legal Structures – University of Lisbon School of Law (1987);
- European Law Litigation – National Administration Institute (1987);
- Administrative Management – Ministry of Administrative Reform (1981).

➤ **PUBLICATIONS (LAW)**

- Author of several published works in Litigation, Civil and Commercial Law, Constitutional Law, Corporate Law, Real-Estate Law, Professional Ethics, among others.
- Author of several legal opinions for US courts.

I. CONSTITUTIONAL LAW

- "*Lições de Direito Constitucional*" - Faculty of Law of the University of Lisbon, co-authored with Prof. Marcelo Rebelo de Sousa (1977);
- "*Textos de Direito Constitucional*"- *idem*

II. CIVIL LAW

- "*Questões sobre Trespasse*" –*A Propriedade Urbana* Magazine, Lisbon (1989);
- "*A Transmissão, por morte, do Direito ao Arrendamento Habitacional*" –*A Propriedade Urbana* Magazine, Lisbon (1991);
- "*Publicidade nas Fachadas de Prédios em Propriedade Horizontal*" - (co-authored) *A Propriedade Urbana* Magazine, December (1995);
- "*Arrendamento Urbano – Novo Regime do Arrendamento Urbano Comentado e Anotado*" – (co-authored), Editora Livraria Petrony, Lisbon, November 2006 (2ª Edição Updated – January 2008; 3ª ed., February 2014);

III. COMMERCIAL LAW

- "*A Recusa de Assinatura do Relatório Anual nas Sociedades Anónimas*" – *Revista da Ordem dos Advogados*, Lisbon, December (1994);
- "*A Deliberação de Confiança na Apreciação Anual da Situação da Sociedade*" - *Ordem dos Advogados*, July (1995);

- "Sobre a Justificação da Recusa de Assinatura do Relatório e Contas" – Revista da Ordem dos Advogados (January 1996);

IV. PROFESSIONAL ETHICS

- "A Discussão Pública de Questões Profissionais pelos Advogados - Interpretação dos artigos 80º, 81º e 82º do Estatuto" – Revista da Ordem dos Advogados, January (1994);
- "As novas metas da Formação" - Cerimónia de Abertura do 1º Curso de Estágio de 1996", Supreme Court of Justice, Revista da Ordem dos Advogados (August 1996);
- "Ética profissional" - Cerimónia de Abertura do 1º Curso de Estágio de 1997", Aula Magna da Reitoria U.L., Revista da Ordem dos Advogados (April 1997);
- "La formazione in Portogallo" – Rassegna Forense, Rivista del Consiglio Nazionale Forense, Anno XXXI, nº1, Roma (January-March 1998);
- "A Advocacia e as Crises" – in "Advocacia, Que fazer?", Edições Minerva, Coimbra (2001);
- "Do Patrocínio contra Advogados e Magistrados (Comentários e Anotações ao art. 88º do Estatuto da Ordem dos Advogados)" – Revista da Ordem dos Advogados (December 2004);

V. ARBITRATION

- "International Arbitration Review – Portugal" – Law Business Research, London (2011/2020);
- - "Claúsulas Arbitrais Escalonadas, Reflexões sobre a sua redacção e Interpretação" – in "Estudos em Homenagem a Mário Raposo", Universidade Católica, Lisbon (2015);
- - "Resolução Alternativa de Litígios" – Almedina, Lisbon, June 2014, (2ª Ed. Atualizada) (July 2017);
- "International Insolvency Review – Portugal", Law Business Research, London (2014/2022);
- A definitividade das decisões arbitrais que apliquem normas cuja inconstitucionalidade tenha sido suscitada pelas partes – (co-authored) Commercial Arbitration, Studies Commemorating the 30th Anniversary of the Commercial Arbitration Centre of portuguese CCI, Almedina (2019).

➤ COURSES, SEMINARS, CONFERENCES AND LECTURES GIVEN (non-exhaustive list)

- "O Arrendamento Urbano de Prédios do Estado" - Conference at the Ministry of Finance, Lisbon (1991);
- "A Formação E o Estágio de Advocacia" - Justice and Freedom Forum Meeting, Lisbon, January (1996);

- "*Justiça e Comunicação Social*" - II Meeting of the Association of Catholic Jurists, Catholic University, Lisbon (February 1996);
- "*A Formação e o Acesso à Profissão de Advogado*" - Lecture given at a seminar promoted by the Portuguese Pharmacists Bar Association, Lisbon (May 1996);
- "*Advocacia em Direito Imobiliário Urbano*" - Course (one semester) for Lawyers, integrated in the Permanent Training Program of the Portuguese Bar Association, CDL, Lisbon, 1997;
- "*The Training Period in Portugal: the Present and the Future*" - IV Congress "Stage", Fédération des Barreaux d'Europe, London (October 1997);
- "*A Deontologia no Relacionamento entre Advogados e Magistrados*" - Conference held at the Macau Magistrates Training Center (December 1997);
- "*O Estado da Justiça*" – Conference held at Lions Club de Portugal, Lisbon (February 1998);
- "*Segredo de Justiça*" – Portuguese Bar Association, Lisbon (May 1998);
- "*O Segredo Profissional*" – Conference at the Portuguese Bar Association, Lisbon (July 1998);
- "*O Advogado na Comunidade Jurídica*" – Conference at the II National Congress of the Young Lawyers Association, Lisbon (1999);
- "*Especialidades do Arrendamento para Habitação*" – Seminar at the Portuguese Bar Association, CDL, Lisbon (2005);
- "*Arrendamento e União de Facto*" – Seminar at the Portuguese Bar Association, CDL, Lisbon (2005);
- "*Cessação do Contrato de Arrendamento Urbano*" – Seminar at the Portuguese Bar Association, CDL, Lisbon (2005);
- "*Especificidades do Novo Regime do Arrendamento Urbano*" – LLM Course in Urban Leasing, Faculty of Law, University of Lisbon (Dezembro 2007);
- "*Dever de Reserva*" - Intervention in conference at the Lisbon District Council of the Portuguese Bar Association (July 2008);
- "*A Actualização de Rendias no Novo Regime do Arrendamento Urbano*" – Conference at the Portuguese Bar Association (October 2008/2009/2010);
- "Lawyer's Competence and Reasonable Price in Legal Profession – Supervision and Control by the Portuguese Law Society" – Congress at da Union International des Avocats (UIA), Oporto (2011);
- "*A Prova em Processo Civil*", Conference at the Center for Judiciary Studies, Lisbon (2011);

- “*O Segredo Bancário no Processo Civil*” - Conference at Magistrates Course at the Center for Judiciary Studies, Lisbon (2011);
- “*A Evolução da Arbitragem, na Doutrina e Jurisprudência, em Portugal e no Brasil*” – lecture given at Veirano Advogados, S. Paulo, under the sponsorship of the Portuguese Chamber of Commerce of Brazil (July 2011);
- “*Arbitragem Fiscal - Especialidades face à Arbitragem Comum*” – Conference on Tax Arbitration, Portuguese Arbitration Association, Lisbon (2011);
- “*O Novo Regime de Impugnação da Decisão Arbitral*” – International Conference about Arbitration, SRS, Lisbon (2012);
- “*Análise da Proposta de Alteração da Lei do Arrendamento*” – Conference at the District Council of the Bar Association (2012);
- “*O Regime da Arbitragem Internacional na nova Lei da Arbitragem Voluntária*” – Conference at the Seminar of the International Court of Arbitration in Madrid, Lisbon (2012);
- “*Insolvency in Portugal: the new legal system*” – at the International Congress of the New York Bar Association, Lisbon (2012);
- “*O Estado da Justiça – Causas e Diagnósticos*” – at the closing session of the Conference on Economic Justice, Francisco Manuel dos Santos Foundation, Lisbon, (June 2013);
- “*Arbitration Third Party Funding*” – Communication at the VII Congress of the Commercial Arbitration Center of Portuguese ICC, Lisbon (2015);
- “*Panorama da Arbitragem em Portugal e nos Países Africanos de Língua Oficial Portuguesa*” – Communication at the 51st Assembly of the Inter-American Commission of Commercial Arbitrage (CIAC), AIP, Lisbon (2018);
- “*Public Order and Arbitral Awards*” – Biennial Conference of the International Law Association, May (2022);
- “*Commercial Litigation: complexities*” – Iberian Lawyer Legal Summit, May (2022)
- “*Nomeação e Recusa de Árbitros: Novos e Velhos Problemas*” – Panel about Judiciary Courts and Arbitration, Lisbon Court of Appeal (October 2022).

➤ **OTHER POSITIONS**

- President of the Portuguese Genealogy Association (Founder and 1st Secretary General in 1984), Lisbon (since 2002);
- Member of the Foundation for Medieval Genealogy, London (since 2009);
- Director of the Journal of Genealogy and Family History “*Raízes e Memórias*”, (Associação Portuguesa de Genealogia), Lisbon (since 2008);
- Member of the Académie Internationale de Généalogie, Paris (since 2010);

- Vice-President of Sporting Clube de Portugal (Department of Legal Affairs and Litigation) (1989/93);
- Editor and administrator of the legal journal "LEI - MAGAZINE" (1993/95);
- Member of the Supreme Sports Council (representing the Minister of Education), (1993/95).

➤ **OTHER PUBLISHED WORKS (HISTORY) – (non-exhaustive list)**

- "*Morais Almeidas da Casa Grande, na Brunheda - Introdução a um estudo genealógico*" - Boletim da Academia Portuguesa de Ex-Libris (January/December 1986);
- "*Quatro Interrogações acerca da Origem dos Castro de Moncorvo*" - Raízes & Memórias (APG) nº1, Lisbon (1987);
- "*Padrinhos e Fotocópias - Os primeiros passos na investigação genealógica*" - Raízes & Memórias (APG) nº3, Lisbon (1989);
- "*Um Nobiliário Transmontano do Século XVIII*" - Raízes & Memórias (APG) nº9, (1993);
- "*A História da família e a compreensão do passado*" – Raízes & Memórias (APG) nº 20, Lisbon (2004);
- "*Os Braganções, História Genealógica de uma Linhagem Medieval (Séculos XI a XIII)*", APG, Lisbon, 2004 (Prémio de História e Genealogia – Instituto Português de Heráldica / Companhia de Seguros LUSITÂNIA, 2005);
- "*A Genealogia no Passado e no Presente*" – Apresentação da obra "*Genealogias Brigantinas*", Vol. I – "Teixeiras de Bragança", Filipe Pinheiro de Campos, Bragança (2006);
- "*Genealogia e Genética, Um Admirável Mundo Novo*" – Raízes & Memórias, (APG) nº 25, Lisbon (2008);
- "*Mem Braganção, Sete Séculos na Obscuridade*" – Comunicação no VI Colloque International de Généalogie, (publicado em Raízes & Memórias – Actas), Académie International de Généalogie / APG, Guimarães (2009);
- "*Une Princesse Arménienne à l'origine d'une lignée Portugaise*" – Revue Internationale des Études Arméniens, Paris (2012);
- "*Luiz de Mello Vaz de São Payo, o Genealogista e a sua Obra*" - Introdução à obra Apostilhas às Linhagens Medievais Portuguesas, da autoria de Luiz de Mello Vaz de São Payo, APG, Lisbon (2018);
- "*O Segredo da Dama do Paço – História de uma Investigação*" – Gradiva, Lisbon (2022);

➤ **LANGUAGES:**

Portuguese – native

English – fluent (written and oral)

French– fluent (written and oral)

Spanish – medium level

German – basic knowledge