

INFOCARD ELANBiz COVID-19 SPECIAL Foreign Trade and Public Sector Measures

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This Infocard provides information on the **new Foreign Trade and Public Sector measures** adopted during the State of Emergency due to the spread of Coronavirus COVID-19 in Peru

Introduction: Peru in State of Emergency

In order to face the emergence and spread of [Coronavirus COVID-19](#), the Peruvian government has declared a **State of Sanitary Emergency** effective from 12 March 2020 until 09 September 2020 (“**State of Sanitary Emergency**”)¹ as well as a **National State of Emergency** from 16 March 2020 until 31 August 2020, during which freedom of assembly and freedom of movement will be restricted in the Peruvian territory (“**National State of Emergency**”)². The main measures that concern the general population are: **focused**³ **mandatory social isolation, curfews**⁴ and **shutdown of borders and Peruvian airspace**.

The Peruvian government has also adopted some economic measures to mitigate the negative effects of the virus on the economy:

- The creation of a **Business Support Fund** of up to PEN 300,000,000.00 for Micro and Small Enterprises (**FAE-MYPE**) aimed at guaranteeing the working capital loans granted to SMEs, as well as restructuring and refinancing their debts⁵, and
- Granting of two **PEN 380 bonuses** mainly to families in poverty⁶, and an economic subsidy of PEN 760.00 for rural households in poverty or extreme poverty.⁷
- Granting of a Universal Family Bonus of PEN 760.00 for households in poverty and extreme poverty, who: **(i)** have a monthly household income of less than PEN 3,000.00, **(ii)** do not have earnings as dependent workers, whether in the public or private sector during the National State of Emergency, and **(iii)** have not received previous bonuses.⁸
- Creation of the program **Reactiva Perú** in order to allow natural and legal persons access to loans

¹ According to [Supreme Decree N° 008-2020-SA](#) of 11 March 2020, extended by [Supreme Decree N° 020-2020-SA](#) dated 04 June 2020.

² According to [Supreme Decree N° 044-2020-PCM](#), extended by [Supreme Decree N° 051-2020-PCM](#), [Supreme Decree N° 064-2020-PCM](#), [Supreme Decree N° 075-2020-PCM](#), [Supreme Decree N° 083-2020-PCM](#), [Supreme Decree N° 094-2020-PCM](#), [Supreme Decree N° 116-2020-PCM](#) and [Supreme Decree N° 135-2020-PCM](#).

³ Mandatory social isolation (quarantine) applies only on 06 departments and 36 provinces in the country, according to [Supreme Decree N° 139-2020-PCM](#).

⁴ Total restriction on Freedom of Movement at the national level, applicable between 10:00 pm and 04:00 am of the following day. With exception of 06 departments and 36 provinces in the country where quarantine applies from 08:00 pm until 04:00 am of the following day, according to [Supreme Decree N° 139-2020-PCM](#).

⁵ Created and regulated by [Urgent Decree N° 029-2020](#) of 20 March 2020.

⁶ According to article 2° of [Supreme Decree N° 027-2020](#) and article 1° of [Urgent Decree N° 044-2020](#).

⁷ According to [Urgent Decree N° 042-2020](#) issued 18 April 2020.

⁸ According to [Urgent Decree N° 052-2020](#).



granted by financial entities, with the Peruvian government as guarantor for a total amount of PEN 60,000,000,000.00, so that beneficiaries are able to handle short term payments and obligations with their employees and suppliers.⁹

- Vulnerable families are granted ease of access to acquire, build or improve their own home¹⁰, under the program “**Techo Propio**”¹¹, by means of **an exemption from the requisite of having savings of at least 0.45 Tax Units (PEN 1,935.00) to access the Family Housing Bonus**¹², granted by the MI VIVIENDA¹³ fund; until 31 December 2020¹⁴.
- Granting of an Electricity Bill Bonus of PEN 160.00 per user who: (i) had an average monthly consumption of 125 kWh, between the months of March 2019 and February 2020, and an average monthly consumption not higher than 150 kWh of during the summer season between January – February 2020; or (ii) has a registered autonomous photovoltaic supply as of March 2020.¹⁵
- The national holiday scheduled for Wednesday 29 July 2020 was rendered ineffective.¹⁶

In this context, the Peruvian government, through its competent authorities, has adopted measures that concern **Foreign Trade and the Public Sector**, which will be detailed in the following paragraphs.

What are the main measures in the area of foreign trade?

The measures taken mainly consist of: **(1) the non-restriction of Foreign Trade operations, (2) non-restriction of goods loading operations, (3) temporary tariff exemption, (4) special treatment** for the issuance of **certificates of origin**, and **(5) the non-application of sanctions and infractions** established in the General Law of Customs.

1. Non-Restriction of Foreign Trade Operations

During the **State of Sanitary Emergency** and **National State of Emergency**, imports and exports of goods shall not be restricted or limited. In that regard, foreign trade operators and public entities who participate in these operations must continue to provide services to the users, in order to maintain the

⁹ Created and regulated by [Legislative Decree N° 1455](#) and its rules of procedure, passed by [Ministry Resolution N° 134-2020-EF/15](#).

¹⁰ According to Law N° 27829, amended by [Supreme Decree N° 009-2020-VIVIENDA](#), the house must have a maximum value of twenty (20) Tax Units (PEN 85,700.00).

¹¹ A program aimed at family with a monthly household income not exceeding PEN 3,538 to **purchase** and PEN 2,627 to **build** or improve their home, which will have basic services such as electricity, water and sewage.

¹² **The Family Housing Bonus – BFH** is a direct subsidy that the State gives a family for free **as a reward for their effort in saving and is not subject to reimbursement**. The value of the Bonus varies according to the modality to which the family applies for: **a) To buy** their home the Bonus is **PEN 34,400**, **b) to build** their home the Bonus can be **PEN 23,435**, and **c) to improve** their home the Bonus is **PEN 9,890**.

¹³ The **Mivivienda Fund** is, as its name implies, a **fund** registered with the Ministry of Housing, Construction and Sanitation of the Peruvian government, which is supervised by the Superintendency of Banking, Insurance and AFP (SBS) whose main objective is to finance the acquisition, improvement and construction of housing for vulnerable Peruvian families.

¹⁴ According to [Legislative Decree N° 1464](#) issued 18 April 2020.

¹⁵ According to [Urgent Decree N° 074-2020](#).

¹⁶ According to Article 3° of [Urgent Decree N° 081-2020](#).



logistic flow of entry into and departure from the country of goods¹⁷. In practice, however, there could be delays in customs clearance during the period of emergency.

According to [Supreme Decree N° 013-2020-SA](#) and its amendment by [Supreme Decree N° 015-2020-SA](#), on an exceptional and temporary basis, the export of **certain goods for health protection from Peru to other countries, under any customs regime, will only be possible with prior approval from the Ministry of Health (MINSA).**

2. Non-Restriction of Goods Loading Operations

For that reason, operations and services of cargo and goods transport, as well as related activities, are **100% unrestricted.**

In that regard, the **transportation of all involved personnel shall not be subject to any kind of restriction or transit impediment**, during all 24 hours, in order to ensure the continuity of port operations and all activities necessary for the chain of logistics.¹⁸

In addition, [Ministry Resolution N° 0232-2020-MTC/01.02](#) complemented by [Notice N° 014-2020-APN](#) issued on 20 March 2020 by the National Port Authority (APN), has determined that the following **activities shall be considered as related to cargo transport operations** (whether by air, sea, land or rail), and are also not subject to any kind of restriction during the Sanitary State of Emergency and the National State of Emergency:

ACTIVITIES RELATED TO CARGO TRANSPORT OPERATIONS¹⁹	
<ul style="list-style-type: none"> • Port infrastructure managers of public and private ownership. • General agencies. • Maritime, river and lake agencies. • Customs brokers. • Loading agencies. • Cargo transport companies. • Postal service companies. • Warehouses. • Establishment of the importer or exporter, or place they use for unloading and loading of merchandise, respectively. • Other foreign trade operators. 	<ul style="list-style-type: none"> • Port workers, regardless of their specialty, including drivers for the removal of rolling stock from port terminals. • Stowage and unloading. • Workers under other labor regimes applicable to port companies and managers. • Transport of merchandise. • Loading and unloading companies and/or cooperatives. • Providers of port services such as: sea pilots, towing, scuba diving, ship provisioning, mooring and unmooring of vessels, waste collection, fuel supply.
ACTIVITIES RELATED TO CARGO TRANSPORT OPERATIONS	

¹⁷ According to Article 8°, sub-section 8.3 of [Supreme Decree N° 044-2020-PCM](#).

¹⁸ According to [Notice N° 014-2020-APN](#).

¹⁹ According to [Ministry Resolution N° 0238-2020-MTC/01.02](#) which amends Article 4° of [Ministry Resolution N° 0232-2020-MTC/01.02](#).



<ul style="list-style-type: none"> • Logistics operators. • Customs' seals providers. • Packaging material providers. • Pallet providers. • Vehicle custody and loading companies. • Cargo and ship inspectors. • Document delivery services. • Fast delivery services (courier). • Tow trucks and cranes. • Vehicle maintenance shops. • Others related to services and activities within the international chain of logistics and all other norms and provisions issued through the Executive Branch during the state of emergency. Workers under other labor regimes related to port managers and companies. 	<ul style="list-style-type: none"> • Cargo fumigation companies. • Companies related to the treatment, handling and accommodation of cargo. • Consignees and cargo owners, including goods that are not prime necessities, only for the purpose of transporting their merchandise for storage. • Transport of full and empty containers. • Cargo transport in general, solid and liquid bulk, fractioned or loose, rolling stock. • Contractor and subcontractor companies, which provide engineering services and/or provision of construction material or similar, for the execution of port infrastructure works intended to provide public services therein.
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3. Temporary Tariff Exemption

By means of [Supreme Decree N° 051-2020-EF](#) issued on 28 March 2020 and later extended by [Single Annex](#) to [Supreme Decree N° 059-2020-EF](#), SUNAT published a **list of national sub-headings for certain merchandises that are subject to a temporary Ad Valorem CIF import duty of 0%**, as such merchandises are considered necessary to mitigate the problems associated with the **State of Sanitary Emergency**. These provisions have also established that once the State of Sanitary Emergency expires, the customs duties of the national sub-headings benefitting from this reduction shall return to the rates of 6% and 11%, as applicable.

4. Special Treatment for the Issuance of Certificates of Origin and Phyto and Zoosanitary Export Certificates

The General Directorate of Foreign Trade of the Ministry of Foreign Trade, sent a [Notice](#) on 29 March 2020 stating that, as of that date, the following countries **accept scanned copies of the certificates of origin**: China, the European Union, Costa Rica, Uruguay, Colombia, Chile, Bolivia and Japan. Concerning the Free Trade Agreements with the United States, Canada and South Korea, the procedure for origin certification consists in self-certification. Thus, the signature of a certification entity is unnecessary. Only the signature of the exporter, manufacturer or importer is required, depending on what is established in the respective trade agreement. Likewise, European and Peruvian health authorities have mutually agreed to accept scanned copies of the phyto and zoosanitary certificates; in order to address the difficulties associated with submitting the original copies of these documents, due to the international restrictions to air travel derived from COVID-19.

5. Non-Application of sanctions and infractions (General Law of Customs)

SUNAT has issued the [Resolution of the Attached National Superintendence N° 006-2020-SUNAT/300000](#), which determines that the sanctions and infractions established in the General Law of Customs shall not be applied, provided that **all of the following conditions are met**: **a)** The infractions must be established in the [Single Annex to the Resolution of the Attached National Superintendence N° 006-2020-SUNAT/300000](#), **b)** The infraction must have occurred between 12 March 2020 and 09 June 2020, **c)** The infraction must have been committed by a foreign trade operator, intervening operator or third party as established by the [Single Annex to the Resolution of the Attached National Superintendence N° 006-2020-SUNAT/300000](#), and **d)** the omitted or correct information has been either communicated or registered.

Later, by means of [Resolution of the Attached National Superintendence of Customs N° 013-2020-SUNAT/300000](#), SUNAT decided not to file nor apply sanctions against infractions established in the General Law of Customs in the Custom municipalities of Chimbote, Mollendo, Pisco, Puerto Maldonado and Tarapoto, as long as the following criteria are **entirely** met: **a)** The infraction must have been committed between 01 July 2020 and 12 July 2020 and must be contained in Annex I of [Resolution of the Attached National Superintendence of Customs N° 013-2020-SUNAT/300000](#), or the infraction must have been committed between 13 July 2020 and 31 July 2020 and be contained in Annex II of [Resolution of the Attached National Superintendence of Customs N° 013-2020-SUNAT/300000](#), **b)** The infraction must have been committed by a foreign trade operator, intervening operator or third party established in Annexes I and II of [Resolution of the Attached National Superintendence of Customs N° 013-2020-SUNAT/300000](#), **c)** The infraction was notified or registered with the entity, with the correct or omitted information.

Lastly, by means of [Resolution of the Attached National Superintendence of Customs N° 016-2020-SUNAT/300000](#), SUNAT decided not to file nor apply sanctions against infractions established in the General Law of Customs in the Custom municipalities of Chimbote, Mollendo, Pisco, Puerto Maldonado and Tarapoto, as long as the following criteria are **entirely** met: **a)** The infraction must be contained in the Single Annex to [Resolution the Attached National Superintendence of Customs N° 016-2020-SUNAT/300000](#), and must have been committed between 01 August 2020 and 31 August 2020, or, in the case of infractions classified as P44 under the List of Sanctions, the merchandise must have arrived by 31 August 2020; **b)** The infraction must have been committed by a foreign trade operator, intervening operator or third party established in the Single Annex to [Resolution the Attached National Superintendence of Customs N° 016-2020-SUNAT/300000](#); and **c)** The infraction was notified or registered with the entity, with the correct or omitted information.

What are the main measures concerning the public sector?

It is important for operators and investors to be aware of the main public sector measures which involve outstanding procedures, as well as of the services by public entities that play a role in the development



of their activities. These measures consist mainly of: **(1) the suspension of all deadlines on administrative procedures** and **(2) the Flexibilization of requisites for Business Licenses** and **(3) the main measures adopted by specific public entities.**

1. Suspension of all Deadlines on Administrative Procedures

Effective on 16 March 2020, all deadlines applicable to administrative procedures, subject to positive or negative silence, were suspended until 10 June 2020; with the exception of those issued by competent authorities who reached a decision but for which the notification was still pending.²⁰

In addition, the **calculation of maximum terms applicable to all administrative procedures, and any other type of procedure, was suspended, effective from 21 March 2020 until 10 June 2020²¹;** including procedures regulated by laws and special provisions, subject to maximum terms, taking place before any public sector entity.

2. Flexibilization of requisites for Business Licenses

In Peru, companies require a Business License, issued by a local government (municipality) in order to carry out economic activities in a determined physical establishment.²² In that regard, the requisites to obtain such a title and/or request a change of business line has been relaxed according to the following details:²³

N°	BUILDING RISK LEVEL	BENEFITS
01	LOW OR MEDIUM	<ul style="list-style-type: none"> • Applications for change of business line shall be subject to automatic approval; • The beneficiary who decides to change business line may undertake refurbishment and/or conditioning Works in order to accommodate the establishment to the new business line;²⁴ <hr/> <ul style="list-style-type: none"> • The application for business license shall be subject to automatic approval; • The maximum term for the issuance and notification of the license shall be two (02) business days.

²⁰ According to the Second Final Complementary Provision of [Urgent Decree N° 026-2020](#), extended by [Supreme Decree N° 087-2020-PCM](#).

²¹ According to Article 28° of [Urgent Decree N° 029-2020](#), extended by [Supreme Decree N° 087-2020-PCM](#).

²² Conforme al Artículo 3° de la Ley N° 28976.

²³ According to [Legislative Decree N° 1497](#).

²⁴ So long as these Works do not increase the risk level of the building to High or Very High.

N°	BUILDING RISK LEVEL	BENEFITS
02	HIGH OR VERY HIGH	<ul style="list-style-type: none"> The application for business license shall be subject to prior evaluation and positive administrative silence; The maximum term for the issuance and notification of the license shall be eight (08) business days.

3. Main Measures in Specific Public Entities

Most public entities of the Peruvian government have adopted special measures, including the suspension of in-person service and changes to the terms applicable to their administrative procedures. For a better understanding, we have classified these entities based on their activities. **All of these agencies are essential for European exporters, importers and investors.**

2.1. Public Entities focused on Foreign Trade and Banking

PUBLIC ENTITY	ADOPTED POLICIES
<p>NATIONAL SUPERINTENDENCE OF CUSTOMS AND TAX ADMINISTRATION</p> <p>Technical specialized agency, dedicated to collecting and managing the taxes paid to the Peruvian government (with exception of municipal taxes) and which facilitates foreign trade by promoting compliance with customs and tax legislation.</p>	<ul style="list-style-type: none"> <u>Operations of import and export of goods shall not be limited.</u> <u>Tariff exemption for goods belonging to certain national sub-headings:</u> the Ad Valorem CIF Tariff shall be temporarily lowered to 0% during the State of Sanitary Emergency (Single Annex to Supreme Decree N° 059-2020-EF). Non-Application of Infractions and Sanctions established in the General Law of Customs (Resolution N° 006-2020-SUNAT/300000 , Resolution N° 013-2020-SUNAT/300000 and Resolution N° 016-2020-SUNAT/300000).
<p>SUPERINTENDENCE OF BANKING AND INSURANCE (SBS)</p> <p>The Superintendence of Banking, Insurance and Private Pension Funds is the body in charge of regulating and supervising the financial, insurance and private pension systems (SPP), as well as preventing and detecting money laundering and the financing of terrorism.</p>	<ul style="list-style-type: none"> <u>Extension until 31 August 2020 of the deadlines to protest title securities</u> in possession of entities subject to oversight by the SBS. The extension is applicable to all title securities which, as of 11 March 2020, were still within the deadline to protest, and shall extend to all title securities whose deadline for protest is until 07 August 2020 (https://busquedas.elperuano.pe/normaslegales/prorrogan-plazo-para-realizar-el-protesto-de-los-titulos-val-resolucion-n-1747-2020-1869353-1/). <u>Approval of the Operating Procedure to allow the exceptional withdrawal of up to 25% of funds from the Private Pension System</u> (SBS Resolution N° 1352-2020).



PUBLIC ENTITY	ADOPTED POLICIES
<p>SUPERINTENDENCE OF BANKING AND INSURANCE (SBS)</p> <p>The Superintendence of Banking, Insurance and Private Pension Funds is the body in charge of regulating and supervising the financial, insurance and private pension systems (SPP), as well as preventing and detecting money laundering and the financing of terrorism.</p>	<ul style="list-style-type: none"> • <u>Extension until 01 January 2021 of the entry into force of Resolution SBS N° 3329-2019, which establishes the obligation, for subjects obligated to inform the UIF, to keep a Record of Operations and inform the UIF²⁵ on: (i) financing by discount, (ii) loan and/or credit disbursement, and (iii) national and/or international transfers with correspondent and/or intermediation.²⁶</u> • <u>The calculation of administrative deadlines related to the functions and powers of the SBS was suspended until 31 July 2020 (Resolution SBS N° 1259-2020).</u>
<p>MINISTRY OF FOREIGN TRADE AND TOURISM – MINCETUR</p> <p>Agency in charge of determining, guiding, executing, coordinating and overseeing foreign trade policies and tourism in the country.</p>	<ul style="list-style-type: none"> • Issuance of a form for the registration of foreign tourists in order to monitor their health due to COVID-19. (Notice issued 18 March 2020). • Entity informs that during the National State of Emergency foreign trade and cargo transport operations shall be guaranteed, including air, sea, land, railway and river transport (Notice issued 20 March 2020); and publishes the COVID-19 Sectoral Sanitary Protocol for categorized hotels. (Ministry Resolution N° 080-2020-MINCETUR). • The Sectoral Sanitary Protocol for Guided Tourism has been issued (Ministry Resolution N° 113-2020-MINCETUR). • The Protocol for Customer Service and Filing of Documents has been issued (Ministry Resolution N° 111-2020-MINCETUR). • Creation of the Entrepreneurial Support Fund for Tourism SMEs (FAE – Turismo), for an amount of PEN 500'000,000, in order to guarantee work capital credits of SMEs who undertake activities such as lodging, interprovincial land transport of passengers, touristic transportation, tourism and travel agencies, restaurants, outdoor activities, organization of meetings, conventions and events, tourist guidance and productions and commercialization of crafts.²⁷

²⁵ According to Article 3.1 of [Law N° 29038](#).

²⁶ According to [Resolution SBS N° 1743-2020](#).

²⁷ Created and regulated by [Urgent Decree N° 076-2020](#).



PUBLIC ENTITY	ADOPTED POLICIES
<p>BANK FOR THE DEVELOPMENT OF PERU (COFIDE) Institution dedicated to granting financing for natural and legal persons dedicated to production and service activities, through companies and entities of the financial system and entities dedicated to the promotion of rural economic activities.</p>	<p>Creation of the National Government Program for Guaranteeing the Financing of Agro Business (FAE – AGRO), for up to the sum of PEN 2,000,000,000, in order to guarantee working capital credits for farmers dedicated to family farming as defined by Law N° 30355 (Law for the Promotion and Development of Family Farming), in order to ensure the agricultural campaign of 2020-2021, as well as the supply of food at the national level.²⁸</p>

2.2. Public Entities focused on Registries and Authorizations

PUBLIC ENTITY	ADOPTED POLICIES
<p>GENERAL DIRECTORATE OF MEDICINES, CONSUMABLES AND DRUGS – DIGEMID Technical institution dedicated to proposing and evaluating policies on pharmaceuticals, medical devices, sanitary products and pharmaceutical establishments, including intellectual property aspects and international agreements.</p>	<ul style="list-style-type: none"> • Applications concerning the individual processing of medicine, registries and amendments to the Sanitary Registry of pharmaceutical products related to the prevention, diagnosis and treatment of COVID-19, submitted through the VUCE and the special authorizations bureau shall be prioritized (notice issued 17/03/2020). • A new Sanitary Directive has been issued for the control and oversight of diagnostic devices in vitro: Anti-body and molecular tests for COVID-19 (Sanitary Directive N° 107-MINSA/2020/DIGEMID)
<p>GENERAL DIRECTORATE OF ENVIRONMENTAL HEALTH AND FOOD SAFETY – DIGESA Organism working under the Viceministry of Public Health, makes up the National Authority on Environmental Health and Food Safety.</p>	<ul style="list-style-type: none"> • Suspension of services to the public at the Service Bureau, and of the terms and deadlines applicable to administrative procedures, with the exception of the Single Window for Foreign Trade (VUCE). • Entity opens its Digital Reception Bureau to the public, in order to receive documents (Notice N° 014-2020-DIGESA/MINSA).
<p>NATIONAL AGRIFOOD HEALTH AND QUALITY SERVICE – SENASA Technical Public Institution with official authority on agricultural health, quality of inputs, organic production and agrifood safety among others.</p>	<ul style="list-style-type: none"> • Physical access to the Service Bureau has been suspended. In its place, the entity has created a Virtual Service Bureau to receive documents (notice issued 16 March 2020).

²⁸ According to [Urgent Decree N° 082-2020](#) amended by [Urgent Decree N° 089-2020](#).

PUBLIC ENTITY	ADOPTED POLICIES
<p>NATIONAL AGRIFOOD HEALTH AND QUALITY SERVICE – SENASA Technical Public Institution with official authority on agricultural health, quality of inputs, organic production and agrifood safety among others.</p>	<ul style="list-style-type: none"> • Suspension of imports of live birds, fertile eggs, SPF eggs, poultry meat, and other products which may transmit or serve as vehicle for the avian influenza, coming from the US states of North Carolina and South Carolina. Effective for a period of 180 days from 19 April 2020. • Cancellation of all sanitary import permits issued before Directoral Resolution N° 006-2020-MINAGRI-SENASA-DSA went into effect, which allowed the import of live birds, fertile eggs, SPF eggs, poultry meat, and other products which may transmit or serve as vehicle for the avian influenza, coming from the US states of North Carolina and South Carolina.

2.3. Public Entities focused on Public Procurement

PUBLIC ENTITY	ADOPTED POLICIES
<p>SUPERVISORY AUTHORITY OF PUBLIC PROCUREMENT – OSCE Supervising entity for public procurement procedures by government entities, in order to ensure transparency, efficiency and competition, in benefit of citizens.</p>	<ul style="list-style-type: none"> • Restart of deadlines for suspended procedures: Effective on 15 May 2020 the calculation of deadlines will resume concerning: a) public tenders summoned before 16 March 2020, b) the date of signature and entry into force of agreements, and c) administrative sanction procedures. (Directoral Resolution N° 006-2020-EF/54.01). • Restart of deadlines in Public Tender Summons: Effective on 15 May 2020, the calculation of deadlines for public tender summons will restart. (Directoral Resolution N° 006-2020-EF/54.01). • OSCE passes new Text of Administrative Procedures (TUPA). (Supreme Decree N° 106-2020-EF). • Public entities will now be able to modify the terms of public tenders, in order to add sanitary protocols. Concerning the execution of public works, they may also establish or increase the delivery of direct advances of up to 15% of the value of the agreement, and up to 25% in the case of advance of materials. (Supreme Decree N° 103-2020-EF). • Digital mediums to receive documents have been made available (Notice N° 012-2020).



PUBLIC ENTITY	ADOPTED POLICIES
<p>SUPERVISORY AUTHORITY OF PUBLIC PROCUREMENT – OSCE Supervising entity for public procurement procedures by government entities, in order to ensure transparency, efficiency and competition, in benefit of citizens.</p>	<ul style="list-style-type: none"> OSCE resumes the execution of the public works, halted during the National State of Emergency, and their respective supervision contracts, hired according to the Law of Public Tender (Supreme Decree N° 101-2020-PCM).

2.4. Public Entities focused on Notary Services and Public Registries

PUBLIC ENTITY	ADOPTED POLICIES
<p>PUBLIC NOTARIES Public Officials authorized to verify and certify legal acts, contracts, last wills and testaments, among other documents, as well as out-of-court settlements.</p>	<ul style="list-style-type: none"> Restart of Notary Activities: the restart of notary activities has been authorized, subject to the approval of sanitary protocols and oversight guidelines by the MINSA and competent sectors (Supreme Decree N° 080-2020-PCM). The Lima School of Notaries declared that the suspension of activities shall continue in zones with high rates of infection, such as La Libertad, Lambayeque, Piura and Tumbes (Press Release of 22 May 2020).
<p>NATIONAL SUPERINTENDENCE OF PUBLIC REGISTRIES – SUNARP Independent decentralized organism of the Justice Sector and supervisory entity of the National System of Public Registries. Its main functions and attributions include issuing policy and technical provisions related to public registries, which make up the National System of Public Registries, as well as planning, organizing, regulating, guiding, coordinating and supervising the registry and publishing of legal acts and agreements in the Public Registries.</p>	<ul style="list-style-type: none"> Suspension of in-presence services in all of its premises, as well as the suspension of terms and deadlines on all administrative procedures, until in-person services are available again. Notice SUNARP. Response to user queries through consultas@sunarp.gob.pe; this e-mail is available 24 hours a day, seven days a week. Press release SUNARP Power of Attorney certificates shall remain available through its digital channels (by app or the official website). Notice issued on SUNARP Twitter account SUNARP resumes the process of title registry through SID-SUNARP: Effective as of 21 May 2020, registry services at the national level shall resume for titles submitted by notaries. (Notice of 21 May 2020). Effective as of 08 June 2020 users may request, pay and receive, through digital means, registry files from the Real Estate, Legal Persons and Natural Persons registries (Press Release of 01 June 2020).



PUBLIC ENTITY	ADOPTED POLICIES
<p>NATIONAL SUPERINTENDENCE OF PUBLIC REGISTRIES – SUNARP</p> <p>Independent decentralized organism of the Justice Sector and supervisory entity of the National System of Public Registries. Its main functions and attributions include issuing policy and technical provisions related to public registries, which make up the National System of Public Registries; as well as planning, organizing, regulating, guiding, coordinating and supervising the registry and publishing of legal acts and agreements in the Public Registries.</p>	<ul style="list-style-type: none"> • Effective as of 24 July 2020, users may submit acts corresponding to the Registry of Last Will and Testaments, Registry of Vehicular Property, Registry of Contracts and Registry of Legal Persons; through the SID-SUNARP system (Resolution of the National Superintendent of Public Registries N° 098-2020-SUNARP/SN). • Effective as of 03 August 2020, the issuance of the Property Registry Certificate (CRI) has been authorized through the Online Public Registry Service (SPRL) at the national level (Resolution of the National Superintendent of Public Registries N° 099-2020-SUNARP/SN). • Effective as of 10 August 2020, the issuance of the Cadastral Search Certificate has been authorized, through the Online Public Registry Service (SPRL) at the national level (Resolution of the National Superintendent of Public Registries N° 103-2020-SUNARP/SN).

2.5. Public Entities focused on Immigration

PUBLIC ENTITY	ADOPTED POLICIES
<p>NATIONAL SUPERINTENDENCE OF IMMIGRATION – MIGRACIONES</p> <p>Entity responsible for immigration control, issuance of travel documents and in charge of managing, supervising, regulating and sanctioning immigration activities.</p>	<ul style="list-style-type: none"> • Appointments related to administrative procedures shall be rescheduled until the end of the National State of Emergency (Superintendent Resolution N° 000104-2020). • Terms and deadlines for administrative procedures and overstay fines are suspended, with regard to the regularization of migratory status as established in Article 220° of Supreme Decree N° 007-2017-IN, for up to forty-five (45) calendar days after the end of the National State of Emergency (Superintendent Resolution N° 000104-2020). • Extension of special leave permits granted to foreigners, to stay outside the country without losing residency, and suspension of administrative procedures for thirty (30) business days, effective on 16 March 2020 (Superintendent Resolution N° 000104-2020).



PUBLIC ENTITY	ADOPTED POLICIES
	<ul style="list-style-type: none"> • Extension of the migratory categories of temporary visas and residents, effective on 16 March 2020 until the National State of Emergency is lifted. Legal Basis: Superintendence Resolution N° 104-2020 • The entity shall issue “Proof of Foreign IDs and PTP” for foreigners who, having registered with the Central Registry of Foreigners, have been unable to visit the agency to pick up their documents. These receipts shall have the same value as the physical document (Superintendence Resolution N° 000121-2020-MIGRACIONES). • Effective as of 16 March 2020, the deadlines for the execution of orders to leave the country, for foreigners whose change of migratory category and extension of residency has been denied, are suspended until the end of the National State of Emergency (Superintendence Resolution N° 000104-2020) • Creation of a new mechanism for the validation of travel authorizations for children and teenagers at migratory exit points (Superintendence Resolution N° 000169-2020-MIGRACIONES). • Restart of procedures through the new Digital Immigration Agency: MIGRACIONES will resume attention to the general public, through digital means, on 3 June 2020, for procedures such as: Change of Migratory Category, Residency Extension, Special Leave Permit, Permit to Sign Agreements, registry with the Central Registry of Foreigners; Certificate of Migratory History, Duplicate of Temporary Permanence Permit – PTP and reimbursement of payments (Superintendence Resolution N° 000131-2020-MIGRACIONES).

2.6. Public Entities focused on Intellectual Property and Competition:

PUBLIC ENTITY	ADOPTED POLICIES
<p>NATIONAL INSTITUTE FOR THE DEFENSE OF COMPETITION AND THE PROTECTION OF INTELLECTUAL PROPERTY – INDECOPI Entity dedicated to the promotion of free market and the protection of consumer rights; as well as the protection of intellectual and industrial property.</p>	<ul style="list-style-type: none"> Entity informs that it does not have faculties to control or regulate prices for products or services, but it can enforce registered prices and sanction price fixing (notice issued 16/03/2020). Terms and deadlines applicable to outstanding complaints, claims, obligations and registries are suspended until 06 May 2020 (notice issued 16/03/2020). In-person services to the public are suspended during the National State of Emergency (notice issued 16/03/2020). A new Digital Reception Bureau has been made available to the public, as well as the Digital Registry of Trademarks and Literary Works (Press Release of 10 April 2020). Creation of the Accelerated Refinancing Bankruptcy Process (PARC) which allows legal persons who incorporate micro, small, medium and large enterprises, as well as associations, to enter a Refinancing Agreement with their creditors, in order to reschedule their obligations and avoid insolvency (Legislative Decree N° 1511).

2.7. Public Entities focused on Energy and Mining:

PUBLIC ENTITY	ADOPTED POLICIES
<p>NATIONAL DIRECTORATE OF RURAL ELECTRIFICATION – DGER The Ministry of Energy and Mining (MINEM), through its General Directorate of Rural Electrification (MINEM – DGER), has authority in matters concerning rural electrification and the expansion of the electric border at the national level, in coordination with Regional and Local Governments, according to Law N° 28749, “Law of Rural Electrification”.</p>	<ul style="list-style-type: none"> During the National State of Emergency, all execution deadlines will be suspended on agreements to which the DGER is a party to, concerning pre-investment profile studies, definitive studies, technical dossiers for public works, as well as the execution of public works and easement management.²⁹

It should be noted that on 07 August 2020 the Peruvian Government appointed Mr. Walter Roger

²⁹ According to [Directoral Resolution N° 095-2020-MINEM/DGER](#) and its amendments, passed by [Directoral Resolution N° 096-2020-MINEM/DGER](#) and [Directoral Resolution N° 097-2020-MINEM/DGER](#).



Martos Ruiz³⁰ as the new President of the Council of Ministers as well as a new Cabinet of Ministers, who obtained the vote of confidence by the Congress of the Republic of Peru on 11 August 2020. In that sense, this new cabinet of ministers has announced new complementary measures in order to continue with the reactivation of the economy and manage the State of Sanitary Emergency and the National State of Emergency.

This infocard will be regularly updated.

Useful Links

- **Ministry of Health - MINSa**
<https://www.gob.pe/minsa/>
- **National Superintendence of Customs and Tax Administration – SUNAT**
<http://www.sunat.gob.pe/>
- **AFP Association**
<http://asociacionafp.pe/>
- **National Superintendence of Banks, Insurance and AFP – SBS**
<https://www.sbs.gob.pe/>
- **National Superintendence of Higher University Education – SUNEDU**
<https://www.sunedu.gob.pe/>
- **National Superintendence of Immigration – MIGRACIONES**
<https://www.gob.pe/superintendencia-nacional-de-migraciones>
- **National Institute for the Defense of Competition and the Protection of Intellectual Property – INDECOPI**
<https://www.indecopi.gob.pe/indecopi>
- **General Directorate of Medicines, Consumables and Drugs – DIGEMID**
<http://www.digemid.minsa.gob.pe/>
- **General Directorate of Environmental Health and Food Safety – DIGESA**
<http://www.digesa.minsa.gob.pe/>
- **National Agrifood Health and Quality Service – SENASA**
<https://www.senasa.gob.pe/senasa/>
- **Ministry of Foreign Trade and Tourism – MINCETUR**
<https://www.gob.pe/mincetur>
- **National Superintendence of Public Registries – SUNARP**
<https://www.sunarp.gob.pe/index.asp>
- **Supervisory Authority of Public Procurement – OSCE**
<https://www.gob.pe/osce>

³⁰ According to [Supreme Resolution N° 101-2020-PCM](#)

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