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LAW No. 27444 GENERAL ADMINISTRATIVE PROCEDURE LAW

THE PRESIDENT OF THE REPUBLIC WHEREAS

The Permanent Commission of the Congress of the Republic has passed the following Law:

THE PERMANENT COMMISSION OF THE CONGRESS OF THE REPUBLIC

He has given the following Law:

GENERAL ADMINISTRATIVE PROCEDURE LAW

PRELIMINARY TITLE

TITLE I

On the legal regime of Administrative acts

Chapter I

Of administrative acts

Chapter II

Nullity of administrative acts

Chapter III

Effectiveness of administrative acts

TITLE II

From the administrative procedure

Chapter I

General provisions

Chapter II

Of the subjects of the procedure

Subchapter I

Of the administered

Subchapter II
From the administrative authority: General principles and competence

Subchapter III
Criterion for collaboration between entities

Subchapter IV
Conflicts of jurisdiction and abstention

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SUPPLEMENTARY AND FINAL PROVISIONS

TRANSITIONAL PROVISIONS

PRELIMINARY TITLE

Article I.- Scope of the Law

This Law shall apply to all Public Administration entities.

For the purposes of this Law, "entity" or "entities" of the Public Administration shall be understood as:

1. The Executive Branch, including Ministries and Decentralized Public Agencies; 2. The Legislative Branch; 3.
The Judicial Branch; 4.
Regional Governments;
5. Local Governments; 6. Organizations
granted autonomy by the Peruvian
Constitution and the laws.

7. Other state entities, agencies, projects, and programs whose activities are carried out under administrative powers and are therefore considered subject to the common rules of public law, unless expressly mandated by law to refer them to another regime; and 8. Legal entities under the private regime that provide public services or exercise administrative
functions by virtue of a concession, delegation, or authorization from the State, in accordance with the relevant regulations.

Article II.- Content

1. This Law regulates the actions of the State's administrative function and the common administrative procedure developed in the entities.
2. Special procedures created and regulated as such by express law, taking into account the uniqueness of the subject matter, are governed subsidiarily by this Law in those aspects not provided for and in which they are expressly treated differently.

3. When regulating special procedures, administrative authorities shall comply with the administrative principles, as well as the rights and duties of the subjects of the procedure, established in this Law.

Article III.- Purpose

The purpose of this Law is to establish the legal framework applicable to the actions of the Public Administration, ensuring the protection of the general interest, guaranteeing the rights and interests of citizens and adhering to the general constitutional and legal system.

Article IV.- Principles of administrative procedure

1. The administrative procedure is fundamentally based on the following principles, without prejudice to the validity of other general principles of Administrative Law:

1.1. Principle of legality.- Administrative authorities must act with respect for the Constitution, the law, and the law, within the powers assigned to them and in accordance with the purposes for which they were granted.
1.2. Principles of due process.- Those administered enjoy all the rights

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Rights and guarantees inherent to administrative due process, which includes the right to present arguments, offer and produce evidence, and obtain a reasoned and legally based decision. The institution of administrative due process is governed by the principles of administrative law.

The regulations of Civil Procedural Law are applicable only to the extent that they are compatible with the administrative regime.

1.3. Principle of ex officio initiation.- The authorities must direct and initiate the procedure ex officio and order the execution or performance of any actions deemed appropriate to clarify and resolve the necessary issues.

1.4. Principle of reasonableness.- The decisions of the administrative authority, when they create obligations, classify infractions, impose sanctions, or establish restrictions on the governed, must be adapted within the limits of the attributed power and maintaining the due proportion between the means to be employed and the public purposes that must be protected, so that they respond to what is strictly necessary for the satisfaction of its purpose.

1.5. Principle of impartiality.- Administrative authorities act without any discrimination among those governed, granting them equal treatment and protection in the proceedings, making decisions in accordance with the legal system and with attention to the general interest.

1.6. Principle of informality.- Procedural rules must be interpreted in a manner favorable to the admission and final decision of the claims of the citizens, so that their rights and interests are not affected by the requirement of formal aspects that can be remedied within the procedure, provided that such excuse does not affect the rights of third parties or the public interest.

1.7. Principle of presumption of truthfulness.- In the processing of administrative proceedings, it is presumed that the documents and statements prepared by the parties in the manner prescribed by this Law reflect the truth of the facts they assert. This presumption is admissible through proof to the contrary.

1.8. Principle of Procedural Conduct.- The administrative authority, the citizens, their representatives or attorneys, and, in general, all participants in the procedure, carry out their respective procedural acts guided by mutual respect, collaboration, and good faith. No regulation of administrative procedure may be interpreted in such a way as to protect any conduct contrary to procedural good faith.

1.9. Principle of Expediency.- Those involved in the procedure must adjust their actions to ensure the process is as dynamic as possible, avoiding procedural actions that hinder its progress or constitute mere formalities, in order to reach a decision within a reasonable time, without relieving the authorities of due process or violating the legal system.

1.10. Principle of effectiveness.- Subjects to administrative procedures must prioritize the fulfillment of the purpose of the procedural act over those formalities whose implementation does not affect its validity, do not determine important aspects of the final decision, do not diminish the guarantees of the procedure, or cause defenselessness to the administered. In all cases where this principle applies, the purpose of the act that is prioritized over non-essential formalities must conform to the applicable regulatory framework, and its validity will be a guarantee of the public purpose sought to be fulfilled by applying this principle.

1.11. Principle of material truth.- In the proceedings, the competent administrative authority must fully verify the facts underlying its decisions, and to this end, it must adopt all necessary evidentiary measures authorized by law, even when they have not been proposed by the parties concerned or the parties have agreed to waive them.

In the case of trilateral proceedings, the administrative authority shall be empowered to verify by all available means the truth of the facts proposed by the parties, without this meaning a substitution of the duty of proof that corresponds to them. However, the administrative authority shall be

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obliged to exercise this power when its pronouncement could also involve the public interest.

1.12. Principle of Participation.- Entities must provide the necessary conditions for all citizens to access the information they manage, without giving reasons, except for information affecting personal privacy, related to national security, or expressly excluded by law. They must also extend the opportunities for citizens and their representatives to participate in public decisions that may affect them, through any system that allows for dissemination, access to information, and the presentation of opinions.

1.13. Principle of simplicity.- The procedures established by the administrative authority must be simple, eliminating all unnecessary complexity; that is, the requirements must be rational and proportional to the objectives to be achieved.

1.14. Principle of uniformity.- The administrative authority must establish similar requirements for similar procedures, ensuring that exceptions to the general principles do not become the general rule. Any differentiation must be based on duly substantiated objective criteria.

1.15. Principle of predictability.- The administrative authority must provide the administrators or their representatives with true, complete, and reliable information about each procedure, so that at the beginning, the administrator can have a fairly certain understanding of the final result.

1.16. Principle of privilege of ex post controls.- The processing of administrative procedures shall be based on the application of ex post controls, with the administrative authority reserving the right to verify the veracity of the information submitted, compliance with substantive regulations, and to apply the relevant sanctions if the information submitted is not truthful.

2. The principles indicated will also serve as interpretative criteria to resolve issues that may arise in the application of the procedural rules, as parameters for the generation of other general administrative provisions, and to fill gaps in the administrative system.

The list of principles stated above is not exhaustive.

Article V.- Sources of administrative procedure

1. The administrative legal system integrates an organic system that has autonomy with respect to other branches of law.
2. The sources of the administrative procedure are:

2.1. Constitutional provisions.
2.2. International treaties and conventions incorporated into the National Legal System.

2.3. Laws and provisions of equivalent hierarchy.
2.4. Supreme Decrees and other regulatory norms of other branches of the State.

2.5. Other regulations of the Executive Branch, the statutes and regulations of the entities, as well as those of institutional scope or originating from the administrative systems.

2.6. Other rules subordinate to the previous regulations.
2.7. Jurisprudence from the jurisdictional authorities that interpret administrative provisions.

2.8. The resolutions issued by the Administration through its courts or councils governed by special laws, establishing interpretative criteria of

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general scope and duly published. These decisions create an administrative precedent, exhaust the administrative process, and cannot be overturned at that venue.
2.9. Binding pronouncements from those entities expressly empowered to answer questions about the interpretation of administrative regulations that apply to their work, duly disseminated.

2.10. The general principles of administrative law.

3. The sources indicated in numerals 2.7, 2.8, 2.9 and 2.10 serve to interpret and delimit the field of application of the positive order to which they refer.

Article VI.- Administrative precedents

1. Administrative acts that, in resolving specific cases, expressly and definitively interpret the meaning of the legislation shall constitute administrative precedents of binding observance by the entity, as long as said interpretation remains unchanged. Such acts shall be published in accordance with the rules established in this regulation.

2. The interpretative criteria established by the entities may be modified if the previous interpretation is considered incorrect or contrary to the general interest. The new interpretation may not be applied to previous situations unless it is more favorable to the citizens.

3. In any case, the mere modification of the criteria does not authorize the ex officio review in administrative headquarters of final acts.

Article VII.- Function of the general provisions.

1. Higher authorities may direct or guide the activities of those under their authority in a general manner through circulars, instructions and other similar measures, which, however, may not create new obligations for those under their authority.

2. These provisions must be sufficiently disseminated, placed in a visible place within the entity if their scope is merely institutional, or published if their scope is external.

3. The administered parties may invoke these provisions in their favor, insofar as they establish obligations for the administrative bodies in their relationship with the administered parties.

Article VIII.- Lack of sources

1. Administrative authorities may not fail to resolve the issues submitted to them due to insufficient sources; in such cases, they shall resort to the principles of administrative procedure provided for in this Law; failing that, they shall resort to other supplementary sources of administrative law, and only as a subsidiary to these, to the rules of other legal systems that are compatible with their nature and purpose.

2. When the deficiency of the regulations makes it advisable, in addition to the resolution of the case, the authority will prepare and propose to the competent authority the issuance of a regulation that generally overcomes this situation, in the same sense as the resolution given to the matter submitted to its knowledge.

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TITLE I

On the legal regime of acts Administrative

CHAPTER I

Of administrative acts

Article 1° Concept of administrative act

1.1. Administrative acts are declarations by entities that, within the framework of public law, are intended to produce legal effects on the interests, obligations, or rights of those governed within a specific situation.

1.2. The following are not considered administrative acts: 1.2.1. Internal administrative acts of entities intended to organize or operate their own activities or services. These acts are regulated by each entity, subject to the provisions of the Preliminary Title of this Law and any regulations that expressly establish them.

1.2.2. The material behaviors and activities of the entities.

Article 2.- Modalities of the administrative act.

2.1. When authorized by law, the authority, by express decision, may subject the administrative act to a condition, term, or method, provided that the elements incorporated into the act are compatible with the legal system, or when they are intended to ensure compliance with the public purpose pursued by the act.

2.2. An accessory modality cannot be applied against the purpose pursued by the administrative act.

Article 3.- Requirements for the validity of administrative acts

The requirements for the validity of administrative acts are:

1. Jurisdiction.- To be issued by the body empowered by reason of the subject matter, territory, degree, time or amount, through the authority regularly nominated at the time of issuance and, in the case of collegiate bodies, meeting the requirements of session, quorum and deliberation essential for its issuance.

2. Purpose or content.- Administrative acts must express their respective purpose in such a way that their legal effects can be unequivocally determined. Their content must comply with the provisions of the legal system and must be lawful, precise, physically and legally possible, and cover the issues raised by the motivation.

3. Public Purpose.- Comply with the public interest purposes assumed by the regulations granting powers to the issuing body, without being able to authorize the act to pursue, even covertly, any purpose that is personal to the authority itself, in favor of a third party, or any other public purpose other than that provided for by law. The absence of regulations indicating the purposes of a power does not generate discretion.

4. Motivation.- The administrative act must be duly motivated in proportion to the content and in accordance with the legal system.

5. Regular procedure.- Before its issuance, the act must be confirmed by complying with the administrative procedure provided for its generation.

Article 4°. - Form of administrative acts

4.1. Administrative acts must be expressed in writing, unless by the

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nature and circumstances of the case, the legal system has provided another way, provided that it allows to have proof of its existence.
4.2. The written act indicates the date and place where it is issued, the name of the body from which it emanates, and the name and signature of the intervening authority.
4.3. When the administrative act is produced through automated systems, the administrator must be guaranteed knowledge of the name and position of the issuing authority.

4.4. When several administrative acts of the same nature must be issued, a mechanical signature may be used or they may be integrated into a single document with a single motivation, provided that the beneficiaries upon whom the act's effects fall are identified. For all subsequent purposes, the administrative acts will be considered separate acts.

Article 5°. - Purpose or content of the administrative act.

5.1. The object or content of the administrative act is what the authority decides, declares or certifies.

5.2. In no case will an object or content that is prohibited by the regulatory order, incompatible with the actual situation provided for in the regulations, or imprecise, obscure, or impossible to implement be admissible.
5.3. In the specific case, it may not contravene constitutional or legal provisions or final court orders, nor may it violate general administrative regulations issued by an authority of equal, lower, or higher rank, including those of the same authority that issued the act.

5.4. The content must include all the factual and legal issues raised by the administrators and may include other issues not raised by them that have been assessed ex officio, provided that it gives the administrator the opportunity to present their position and, where appropriate, provide evidence in their favor.

Article 6°. - Motivation of the administrative act

6.1 The motivation must be express, through a concrete and direct relationship of the proven facts relevant to the specific case, and the exposition of the legal and regulatory reasons that, with direct reference to the above, justify the act adopted.

6.2 It may be motivated by the declaration of compliance with the grounds and conclusions of previous opinions, decisions or reports in the file, provided that they are accurately identified, and that by this situation they constitute an integral part of the respective act.

6.3 The presentation of general formulas or formulas lacking in foundation for the specific case or those formulas that, due to their obscurity, vagueness, contradiction or insufficiency, are not specifically clarifying for the motivation of the act are not admissible with motivation.

6.4 The following acts do not require motivation:

6.4.1 The mere procedural decisions that drive the procedure.
6.4.2 When the authority deems the request made by the administrator to be appropriate and the administrative act does not prejudice the rights of third parties.

6.4.3 When the authority produces a large number of substantially identical administrative acts, a single motivation being sufficient.

Article 7°. - Regime of internal administration acts.

7.1. Internal administration acts are geared toward the effectiveness and efficiency of services and the permanent purposes of the entities. They are issued by the competent body; their purpose must be physically and legally feasible; their motivation will be optional when hierarchical superiors issue orders to their subordinates in the legally established manner.

7.2. Internal decisions of mere procedure may be given verbally by the

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competent body, in which case the lower body that receives them will document them in writing and communicate them immediately, indicating the authority from whom they came by means of the formula "By order of..."

CHAPTER II
Nullity of administrative acts

Article 8°. - Validity of the administrative act

The administrative act issued in accordance with the legal system is valid.

Article 9. - Presumption of validity.

Every administrative act is considered valid as long as its alleged nullity is not declared by an administrative or judicial authority, as appropriate.

Article 10. - Grounds for nullity

The following are defects in the administrative act, which cause nullity by law:

1. Violation of the Constitution, laws or regulations.
2. The defect or omission of any of its validity requirements, unless one of the assumptions of conservation of the act referred to in Article 14 is presented.

3. Express acts or those resulting from automatic approval or positive administrative silence, by which powers or rights are acquired, when they are contrary to the legal system, or when the essential requirements, documentation or procedures for their acquisition are not met.

4. Administrative acts that constitute a criminal offense, or that are issued as a consequence thereof.

Article 11. - Competent authority to declare nullity.

11.1. The citizens of the country may request the annulment of the administrative acts that concern them through the administrative appeals provided for in Title III, Chapter II of this Law.

11.2. The nullity shall be acknowledged and declared by the authority superior to the person who issued the act. If the act is issued by an authority not subject to hierarchical subordination, the nullity shall be declared by a resolution of the same authority.

11.3. The resolution declaring the invalidity will also provide for the effective liability of the issuer of the invalid act.

Article 12. - Effects of the declaration of nullity

12.1. The declaration of nullity will have declarative and retroactive effect from the date of the act, except for rights acquired in good faith by third parties, in which case it will operate in the future.

12.2. With respect to an act declared void, the administrators are not obliged to comply with it, and public servants must oppose the execution of the act, providing reasons and justifications for their refusal.

12.3. If the flawed act has been consummated, or if its effects cannot be reversed, it will only give rise to liability for the person who issued the act and, where appropriate, to compensation for the affected party.

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Article 13°. - Scope of nullity

13.1. The nullity of an act only implies the nullity of subsequent acts in the procedure, when they are linked to it.

13.2. The partial nullity of the administrative act does not affect the other parts of the act, which are independent of the null part, unless it is a consequence of it, nor does it prevent the production of effects for which the act may nevertheless be suitable, unless otherwise provided by law.

13.3. Whoever declares the nullity, orders the preservation of those actions or procedures whose content would have remained the same had the defect not occurred.

Article 14°. - Conservation of the act

14.1. When the defect in the administrative act due to non-compliance with its elements of validity is not significant, the act shall be preserved and amended by the issuing authority itself.

14.2. The following are administrative acts affected by non-significant defects:

14.2.1. The act whose content is imprecise or inconsistent with the issues raised in the motivation.

14.2.2. The act issued with insufficient or partial motivation.

14.2.3. The act issued in violation of non-essential formalities of the procedure, considered as those whose correct execution would not have prevented or changed the meaning of the final decision, in important aspects, or whose non-compliance would not affect the due process of the administered.

14.2.4. When it is undoubtedly concluded in any other way that the administrative act would have had the same content, had the defect not occurred.

14.2.5. Those issued with the omission of non-essential documentation.

14.3. Notwithstanding the preservation of the act, the administrative liability of the person issuing the flawed act remains, unless the amendment is made without a request from a party and before its execution.

Article 15°. - Independence of the defects of the administrative act

Any defects incurred in the execution of an administrative act, or in its notification to the administered parties, are independent of its validity.

CHAPTER II
Effectiveness of administrative acts

Article 16.- Effectiveness of the administrative act

16.1. The administrative act becomes effective from the moment the legally executed notification takes effect, in accordance with the provisions of this chapter.

16.2. The administrative act that grants a benefit to the administered party is deemed effective from the date of its issuance, unless otherwise provided in the same act.

Article 17°. - Early effectiveness of the administrative act.

17.1. The authority may provide in the same administrative act that takes effect before its issuance, only if it is more favorable to the citizens, and provided that it does not harm fundamental rights or legally protected bona fide interests of third parties and that the factual situation justifying its adoption existed on the date to which the act's effectiveness is intended to be retroactive.

17.2. Declarations of nullity and acts issued in amendment also have early effect.

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Article 18°. - Obligation to notify

18.1. Notification of the act will be made ex officio and its due diligence will be the responsibility of the entity that issued it.
18.2. Personal notification may be carried out through the entity itself, by courier services specially contracted for this purpose, and in the case of remote areas, it may be arranged to be carried out through the Prefects, Sub-Prefects, and subordinates.

Article 19. - Exemption from notification

19.1 The authority is exempt from formally notifying the citizens of any act that has been issued in its presence, provided that there is a record of this procedural action that records the citizen's attendance.

19.2 The administrator is also exempt from notification if he or she becomes aware of the respective act through direct and spontaneous access to the file, obtaining a copy of it, and recording this situation in the file.

Article 20°. - Notification method

20.1 Notifications will be made through the following methods, according to this respective order of priority.

20.1.1 Personal notification to the interested party or person affected by the act, at his or her address.

20.1.2 By telegram, certified mail, fax, email, or any other means that allows reliable verification of receipt and the recipient, provided that the use of any of these means has been expressly requested by the recipient.

20.1.3 By publication in the Official Gazette and in one of the newspapers with the largest circulation in the national territory, unless otherwise provided by law.

20.2 The authority may not replace one modality with another, under penalty of nullity of the notification.

> You may additionally use these or other options if you deem it appropriate to improve the opportunities for participation of those you administer.

20.3 The same treatment as provided for in this chapter applies to summonses, notices, requests for documents or other similar administrative acts.

Article 21. - Personal notification regime

21.1 Personal service shall be made at the address shown in the file, or at the last address that the person to be notified has indicated to the administrative body in another similar procedure in the same entity within the last year.

21.2 If the citizen has not provided an address, the authority must exhaust its search using the means at its disposal, resorting to sources of information from local entities.

21.3 The service of service must include a copy of the notified act and state the date and time of the service, along with the name and signature of the person with whom the service is to be performed. If the person refuses to do so, this shall be noted in the minutes.
21.4 Personal service will be understood by the person who must be notified or his legal representative, but if neither of them is present at the time of delivering the service, it may be understood by the person who is to be notified.

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located at said address, leaving a record of his/her name, identity document and his/her relationship with the administrator.

Article 22° - Notification to a plurality of interested parties.

22.1 When there are several recipients, the act will be personally notified to all of them, unless they act together under the same representation or if they have designated a common address for notifications, in which case these will be made at that single address.

22.2 If more than ten people who have filed a single application under common law should be notified, the person who submitted the initial application will be notified, instructing him or her to transmit the decision to his or her co-interested parties.

Article 23° . - System of publication of administrative acts.

23.1 Publication will proceed in the following order:

23.1.1.1.1 In the main route, in the case of provisions of general scope or those administrative acts that interest an undetermined number of administrators not appearing in the procedure and without a known address.
23.1.1.1.2 In a subsidiary manner to other modalities, in the case of administrative acts of a particular nature when the law so requires, or the authority is faced with any of the following evident circumstances attributable to the administered party.

§ When another preferred method of notification proves impractical because the address of the individual concerned is unknown despite investigation. § When any other method has been unsuccessful, either because the person to be notified has disappeared, the address provided by the individual concerned is incorrect, or the individual is abroad without leaving a legal representative, despite a request made through the respective Consulate.

23.2 The publication of an act must contain the same elements as those provided for in this chapter for notification; however, if several acts with common elements are published, the corresponding aspects may be published jointly, specifying only the individual aspects of each act.

Article 24º . - Deadline and content for making the notification.

24.1 All notification must be made no later than within five (5) days from the issuance of the act to be notified and must contain:

24.1.1 The full text of the administrative act, including its motivation.
24.1.2 The identification of the procedure within which the act and its direction were issued. 24.1.3 The authority and institution that carries out the act and its direction.
24.1.4 The effective date of the notified act, and with the mention of whether it exhausts the administrative route.
24.1.5 When the publication is addressed to third parties, any other information that may be important to protect their interests and rights shall also be added.

24.1.6 The expression of the resources that are available, the body before which the resources must be presented and the deadline for filing them.

24.2 If, based on erroneous information contained in the notification, the administrator performs any procedural act that is rejected by the entity, the time elapsed will not be taken into account when determining the expiration of the corresponding deadlines.

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Article 25. - Validity of notifications

1. Personal notifications: the day they were made. 2. Those sent by certified mail, official letter, email and similar: the day they were made.

3. Notifications by publication from the day of the last publication in the Official Gazette. 4. When by express legal provision,
an administrative act must be both personally notified to the administered party and published to protect the rights or legitimate interests of third parties not appearing or undetermined, the act will take effect from the last notification.

For the purposes of calculating the start of the deadlines, the rules established in Article 133 of this Law must be followed.

Article 26. - Defective notifications

26.1 If it is proven that the notification has been made without the legal formalities and requirements, the authority will order that it be redone, correcting any omissions that may have occurred, without prejudice to the administrator.
26.2 The dismissal of the challenge to the validity of a notification causes said notification to operate from the date it was made.

Article 27°. - Correction of defective notifications

27.1 Notifications that are defective due to the omission of any of their content requirements will take legal effect from the date on which the interested party expressly states that they have received it, unless there is proof to the contrary.
27.2 The citizen will also be deemed to have been duly notified upon the completion of procedural actions by the interested party that reasonably suggest they had timely knowledge of the content or scope of the resolution, or upon filing any appropriate appeal. A request for notification made by the citizen to be notified of any decision by the authority is not considered such.

Article 28°. - Communications within the administration

28.1 Communications between administrative bodies within an entity will be carried out directly, avoiding the intervention of other bodies.
28.2 Communications of resolutions to other national authorities or requests for compliance with procedural steps will always be sent directly under the notification regime without mere transfer actions due to internal hierarchies or transcription by intermediate bodies.

28.3 When any other authority or internal administrative body must be aware of the communication, an information copy will be sent to it.
28.4 The documentary evidence of remote transmission by electronic means between entities and authorities constitutes authentic documentation and will fully attest to all its effects within the file for both parties, as to the existence of the transmitted original and its reception.

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From the administrative procedure
CHAPTER I
General Provisions

Article 29°. - Definition of administrative procedure

An administrative procedure is understood to be the set of acts and procedures processed in entities, leading to the issuance of an administrative act that has individual or individualizable legal effects on the interests, obligations, or rights of those administered.

Article 30°. - Qualification of administrative procedures

The administrative procedures that, by legal requirement, citizens must initiate with entities to satisfy or exercise their interests or rights are classified, pursuant to the provisions of this chapter, as follows: automatic approval procedures or prior evaluation procedures by the entity. The latter, in turn, is subject, in the event of a lack of timely pronouncement, to positive or negative silence. Each entity specifies these procedures in its Single Text of Administrative Procedures (TUPA), following the criteria established in this regulation.

Article 31°. - Regime of the automatic approval procedure

31.1 In the automatic approval procedure, the application is considered approved from the moment it is submitted to the competent entity, provided that it meets the requirements and submits the complete documentation required in the entity's TUPA.

31.2 In this procedure, entities do not issue any express statement confirming the automatic approval; they must only conduct the subsequent audit. However, when automatic approval procedures necessarily require the issuance of a document without which the user cannot exercise their right, the maximum period for issuance is five business days, without prejudice to any longer periods established by special laws prior to the entry into force of this Law.

31.3 As proof of the automatic approval of the administered party's application, a copy of the document or the format presented containing the official stamp of receipt without observations and indicating the application registration number, date, time and signature of the receiving agent is sufficient.
31.4 Automatic approval procedures, subject to the presumption of veracity, are those leading to the obtaining of licenses, authorizations, certificates and certified copies or similar that enable the continued exercise of professional, social, economic or labor activities in the private sphere, provided that they do not affect the rights of third parties and without prejudice to subsequent inspection by the administration.

Article 32°. - Subsequent inspection

32.1 Through subsequent audits, the entity before which an automatic approval or prior evaluation procedure is carried out is obliged to verify ex officio, using the sampling system, the authenticity of the declarations, documents, information and translations provided by the administrator.

32.2 The audit covers no less than 10% of all files subject to automatic approval, with a maximum of 50 files per semester, which may be increased taking into account the impact that the occurrence of fraud or falsification in the information, documentation or declaration presented may have on the general interest, the economy, security or citizen health. This audit must be carried out semiannually in accordance with the guidelines that the

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Presidency of the Council of Ministers.
32.3 If fraud or falsification is found in the declaration, information, or documentation submitted by the taxpayer, the entity will consider the respective requirement unmet for all purposes and will notify the hierarchically superior authority, if any, so that the administrative act based on said declaration, information, or document is declared null and void; the entity will be fined between two and five Tax Units in effect on the date of payment by the person who used said declaration, information, or document; and, furthermore, if the conduct falls under the conditions set forth in Title XIX, Crimes Against Public Faith, of the Criminal Code, the matter must be reported to the Public Prosecutor's Office so that the corresponding criminal action may be brought.

Article 33°. - Preliminary evaluation procedure with positive silence

The Pre-Evaluation Procedures are subject to positive silence when any of the following assumptions apply:

1. Applications whose approval enables the exercise of pre-existing rights, unless it transfers powers of the public administration or enables the performance of activities that are immediately exhausted upon their exercise.
2. Resources intended to challenge the dismissal of an application when the individual has opted for the application of negative administrative silence.
3. Procedures in which the significance of the final decision cannot directly affect individuals other than the petitioner, by limiting, harming, or affecting their legitimate interests or rights.

4. All other procedures at the request of a party not subject to the express negative silence contemplated in the following article, except for the procedures for gratuity petitions and consultations, which are governed by their specific regulations.

Article 34°. - Pre-evaluation procedures with negative silence.

34.1 Pre-assessment procedures are subject to negative silence when any of the following situations apply.

34.1.1 When the request relates to matters of public interest, affecting health, the environment, natural resources, citizen security, the financial and insurance system, the stock market, national defense, and the nation's historical and cultural heritage.

34.1.2 When they question other previous administrative acts, except for the appeals in the case of numeral 2 of the previous article.
34.1.3 When they are trilateral procedures and those that generate an obligation to give or do on behalf of the State.
34.1.4 Registration procedures.
34.1.5 Those to whom, by virtue of express law, this form of administrative silence is applicable.

34.2 The authorities are empowered to classify differently in their TUPA the procedures included in sections 34.1.1 and 34.1.4, when they consider that their effects recognize the interest of the applicant, without significantly exposing the general interest.

Article 35°. - Maximum period of the prior evaluation administrative procedure.

The period that elapses from the beginning of an administrative procedure for prior evaluation until the respective resolution is issued, may not exceed thirty (30) business days, unless by law or legislative decree procedures are established whose compliance requires a longer duration.

Article 36°. - Legality of the procedure

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36.1 Administrative procedures, requirements and costs are established exclusively by supreme decree or higher-ranking regulation, regulation of the highest regional authority, Municipal Ordinance or the decision of the head of autonomous entities in accordance with the Constitution, depending on their nature.

These procedures must be summarized and systematized in the Single Text of Administrative Procedures, approved for each entity.
36.2 Entities shall only require administrators to comply with procedures, submit documents, provide information, or pay processing fees, provided they meet the requirements set forth in the preceding paragraph. Any authority that acts differently by making demands on administrators outside of these cases shall be liable.

36.3 The provisions concerning the elimination of procedures or requirements or their simplification may be approved by Ministerial Resolution, Regional Regulation of equivalent rank or Mayoral Decree, depending on whether the entities depend on the Central Government, Regional or Local Governments, respectively.

Article 37°. - Contents of the Single Text of Administrative Procedures

All entities prepare and approve or manage the approval, as appropriate, of their Single Text of Administrative Procedures, which includes:

1. All procedures initiated by the parties required by the governed parties to satisfy their interests or rights through a pronouncement by any body of the entity, provided that this requirement has legal support, which must be expressly recorded in the TUPA (Resolution of the Administrative Procedure Act) with an indication of the date of publication in the Official Gazette.

2. A clear and exhaustive description of all the requirements required for the complete execution of each procedure.
3. The rating of each procedure as appropriate between pre-evaluation or automatic approval procedures.

4. In the case of prior evaluation procedures, whether the applicable administrative silence is negative or positive.
5. The cases in which processing fees are payable, indicating their amount and method of payment. The amount of the fees will be expressed in terms of the ITU (Unit Unit of Taxes) and published by the entities in legal tender.
6. The appropriate reception channels to access the procedures contained in the TUPA, in accordance with the provisions of Articles 116 and following of this Law.

7. The competent authority to resolve each instance of the procedure and the resources to be filed to access them.
8. The forms used during the processing of the respective administrative procedure.

The TUPA will also include a list of services provided exclusively by the entities when the user cannot obtain them elsewhere or at another location. The provisions of sections 2, 5, 6, 7, and 8 above will be specified, where applicable.

The requirements and conditions for the provision of services by the entities will be established by supreme decree endorsed by the President of the Council of Ministers.

For those services that are not provided exclusively, the entities will establish the requirements and costs corresponding to them through a Resolution from the Holder of the Document, which must be duly disseminated so that they are public knowledge.

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Article 38°. - Approval and dissemination of the Single Text of Administrative Procedures

38.1 The Single Text of Administrative Procedures (TUPA) is approved by Supreme Decree of the sector, by the highest-level regulation of the regional authorities, by Municipal Ordinance, or by Resolution of the Head of a constitutionally autonomous body, depending on the respective level of government.

38.2 Every two (2) years, entities are required to publish the entire TUPA, under the responsibility of its owner; however, they may do so earlier when they consider that the modifications made to it warrant it. The period will be calculated from the date of its last publication.

38.3 The TUPA is published in the Official Gazette El Peruano when it concerns entities with national scope, or in the newspaper responsible for judicial notices in the capital of the region or province, in the case of entities with smaller scope.
38.4 Without prejudice to the indicated publication, each entity disseminates its TUPA by placing it in a visible place within the entity.
38.5 Once the TUPA has been approved, any modification that does not entail the creation of new procedures, increased processing fees, or requirements must be made by a Ministerial Resolution of the Sector, a Regional Regulation of equivalent rank, or a Mayoral Decree, or by a Resolution of the Head of the Autonomous Body in accordance with the Constitution, depending on the respective level of government. Otherwise, approval is carried out according to the mechanism established in section 38.1. In both cases, the modification will be published as provided in section 38.3.

38.6 In preparing the TUPA, efforts will be made to avoid duplication of administrative procedures in the different entities of the public administration.

Article 39°. - Considerations for structuring the procedure

39.1 Only those requirements that are reasonably essential to obtain the corresponding ruling will be included as required for the execution of each administrative procedure, taking into account their costs and benefits.

39.2 For this purpose, each entity considers the following criteria:

39.2.1 The documentation that may be requested in accordance with this law, the documentation that cannot be requested, and those substitutes established to replace the original documentation.

39.2.2 Its necessity and relevance in relation to the purpose of the administrative procedure and to obtain the required ruling.
39.2.3 The entity's actual capacity to process the required information, through prior evaluation or subsequent audit.

Article 40°. - Documentation prohibited from requesting

40.1 For the initiation, continuation or conclusion of a procedure, entities are prohibited from requesting that the administrators present the following information or documentation containing it:

40.1.1 That which the requesting entity possesses or should possess by virtue of any procedure previously carried out by the administrator in any of its departments, or by having been audited by it, during the five (5) immediate previous years, provided that the data has not changed nor has the validity of the document submitted expired. To prove this, it is sufficient for the administrator to exhibit the copy of the charge where said presentation is recorded, duly stamped and dated by the entity before which it was administered.

40.1.2 That which has been issued by the same entity or by other public entities in the sector, in which case it is the responsibility of the entity itself to collect them.

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request of the administrator.

40.1.3 Submission of more than two copies of the same document to the entity, unless it is necessary to notify the same number of interested parties.

40.1.4 Photographs, except for obtaining identity documents, passports, or licenses or authorizations of a personal nature or for reasons of national security.

Users will be free to choose the company from which the photographs are obtained, with the exception of image digitization cases.

40.1.5 Personal identification documents other than the Electoral Booklet or National Identity Document. Furthermore, only a foreigner's identification card or passport, as applicable, will be required for foreign citizens.

40.1.6 Collect seals from the entity itself, which must be collected by the authority in charge of the file.

40.1.7 New documents or copies, when others are presented, even though they were produced for another purpose, unless they are illegible.

40.1.8 Proof of payment made to the entity itself for some procedure, in which case the administrator is only required to inform in writing the date of payment and the payment receipt number, with the administration being responsible for immediate verification.

40.2 The provisions contained in this article do not limit the right of the administrator to spontaneously present the aforementioned documentation, if he considers it appropriate.

Article 41°. - Documents

41.1 In order to comply with the requirements corresponding to administrative procedures, entities are required to receive the following documents and information instead of official documentation, which they replace with the same evidentiary value:

41.1.1 Simple copies or copies certified by institutional notaries, in lieu of original documents or notarized copies of such documents. Simple copies will be accepted, whether or not certified by notaries, officials, or public servants in the exercise of their functions, and will have the same value as original documents for compliance with the requirements corresponding to the processing of administrative procedures before any entity. Copies certified by institutional notaries will only be required in cases where it is reasonably essential.

41.1.2 Simple translations with the indication and signature of the duly identified translator, instead of official translations.

41.1.3 Written statements by the administrator contained in sworn statements by which they affirm their favorable situation or status in relation to the requirements requested by the entity, in replacement of official certifications on the special conditions of the administrator themselves, such as police records, certificates of good conduct, address, survival, orphanhood, widowhood, loss of documents, among others.

41.1.4 Private instruments, notarial certificates or simple copies of public deeds, instead of public instruments of any nature, or notarial testimonies, respectively.

41.1.5 Original certificates signed by duly identified independent professionals, replacing official certifications regarding the individual's special conditions or interests, the assessment of which requires special technical or professional expertise, such as health certificates or architectural plans, among others. Certified professionals will only be used when required by the regulation governing the procedure.

41.1.6 Photostatic copies of official formats or a particular reproduction of them prepared by the administrator, fully respecting the structure of those defined by the authority, replacing the official forms approved by

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the entity itself for the provision of data.

41.2 The presentation and admission of documentary substitutes is carried out under the principle of presumption of veracity and entails the mandatory performance of subsequent audit actions by said entities.
41.3 The provisions of this article apply even when an express rule provides for the submission of original documents.
41.4 The provisions contained in this article do not limit the right of the administrator to present the documentation that is prohibited from being demanded, if it is considered convenient to his right.

Article 42°. - Presumption of truthfulness

42.1 All sworn statements, substitute documents submitted, and information included in documents and forms submitted by administrators for the performance of administrative procedures are presumed to be verified by the person using them, as well as to be of truthful content for administrative purposes, unless proven otherwise.

42.2 In the case of translations of parts, as well as professional or technical reports or certificates presented as substitutes for official documentation, this responsibility extends jointly to the person who presents them and to those who issued them.

Article 43°. - Value of public and private documents

43.1 Public documents are considered to be those validly issued by the bodies of the entities.

43.2 The copy of any public document has the same validity and effectiveness as these, provided that there is proof that it is authentic.
43.3 The copy of the private document whose authenticity has been certified by the notary, has full validity and effectiveness, exclusively in the scope of activity of the entity that authenticates it.

Article 44°. - Right of processing

44.1 Processing fees should be established for administrative procedures when their processing entails providing a specific, individualized service to the entity, or based on the cost derived from the activities aimed at analyzing the request; except in cases where taxes are allocated to directly finance the entity's activities. This cost includes the operating and maintenance expenses of the infrastructure associated with each procedure.

44.2 The conditions for the admissibility of this charge are: that the entity is authorized to demand it by a law and that it is recorded in its current Single Text of Administrative Procedures.

44.3 It is not appropriate to establish charges for processing fees for procedures initiated ex officio, nor in those in which the right to a free petition or the right to report to the entity for functional violations by its own officials or that must be known by the Internal Audit Offices are exercised.

44.4 Procedures cannot be divided nor can charges be established in stages.
44.5 The entity is obliged to reduce the processing fees for administrative procedures if, as a result of their processing, economic surpluses have been generated in the previous year.

44.6 A supreme decree endorsed by the President of the Council of Ministers and the Minister of Economy and Finance will specify the criteria and procedures for determining the costs of administrative procedures and services provided by the administration and for setting processing fees.

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Article 45°. - Limitation of processing fees

45.1 The amount of the processing fee is determined based on the cost generated by the entity for the service provided throughout the entire process and, where applicable, the actual cost of producing the documents issued by the entity. Its amount is supported by the administrative office of each entity.

When the cost exceeds one ITU (Tax Unit), an exceptional regime must be applied, which will be established by supreme decree endorsed by the President of the Council of Ministers and the Minister of Economy and Finance.

45.2 Entities may not establish differentiated payments to give preference or special treatment to an application, distinguishing it from others of the same type, nor discriminate based on the type of administrator following the procedure.

Article 46°. - Cancellation of processing fees

The method for canceling processing fees is established in the institutional TUPA (Tax Administration Procedure). Payment to the entity must be made using any monetary method that allows verification, including bank account deposits or electronic fund transfers.

Article 47° - Reimbursement of administrative expenses

47.1 Reimbursement of administrative expenses is only appropriate when expressly authorized by law.
Administrative expenses are those incurred by specific actions requested by the administrator within the procedure. They are requested once the administrative procedure has begun and are the responsibility of the administrator who requested the action or all administrators, if the matter is of common interest. The administrators have the right to verify and, where appropriate, observe the justification for the expenses to be reimbursed.

47.2 There is no award of costs in any administrative procedure.

Article 48°. - Compliance with the rules of this chapter.

The Presidency of the Council of Ministers shall be responsible for ensuring compliance with the rules established in this chapter in all public administration entities, without prejudice to the powers conferred on the Market Access Commission of the National Institute of Competition and Defense of Intellectual Property in Article 26 BIS of Legislative Decree No. 25868 and in Article 61 of Legislative Decree No. 776 to hear and resolve complaints filed by citizens or economic agents on the subject.

However, when in a matter of competence of the market access commission, the alleged bureaucratic barrier has been established by a supreme decree or ministerial resolution, INDECOPI will submit a report to the Presidency of the Council of Ministers for its elevation to the Council of Ministers which must necessarily resolve the issue within 30 days. The same case will apply when the alleged bureaucratic barrier is established in a municipal ordinance, having to submit, in this case, the report to the Municipal Council for a legal resolution within (30) thirty days.

The Presidency of the Council of Ministers is empowered to:

1. Advise entities on administrative simplification and continuously evaluate administrative simplification processes within the entities, for which purpose it may request all the information it requires from them.

2. Supervise and monitor compliance with the provisions of this Law.
3. Detect non-compliance with the rules of this Law and recommend the modifications they consider pertinent, granting the entities a period of time

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peremptory for correction.
4. If the correction is not made, the Presidency of the Council of Ministers will formulate the regulatory proposals required to make the modifications it deems appropriate and will take the necessary steps to enforce the liability of the officials involved.
5. Detect cases of duplication of administrative procedures in the different entities and propose the necessary measures for their correction.
6. Issue mandatory directives aimed at ensuring compliance with the provisions of this Law.
7. Take the necessary steps to enforce the responsibility of officials for failure to comply with the rules of this Chapter, for which it has the legitimacy to take action before the various entities of the public administration.

8. Establish mechanisms for receiving complaints and other mechanisms for citizen participation. When such complaints relate to matters within the jurisdiction of the Market Access Commission, it will decline to hear them and refer them directly to the Commission.
9. Approve the acceptance of entities to the exceptional regime for the establishment of processing fees greater than one (1) UIT.
10. Others indicated by the corresponding devices.

The regulatory and complementary measures for the implementation of the provisions of this article shall be issued by supreme decree endorsed by the President of the Council of Ministers.

Article 49. - Regime of entities without a Single Text of Administrative Procedures in force

When the entity fails to publish its Single Text of Procedures Administrative, or publish it by omitting procedures, the administered, without prejudice to making the offending authority responsible, are subject to the following regime:

1. With respect to administrative procedures that must be automatically approved, the administrators are exempt from the requirement to initiate such procedures to obtain prior authorization to carry out their professional, social, economic, or labor activities, and they are not subject to sanctions for the free development of such activities. The suspension of this authority's prerogative ends upon publication of the TUPA, with no retroactive effect.
2. With respect to other matters subject to prior evaluation procedures, the regime provided for in each case by this Chapter shall be followed.

CHAPTER II

Of the subjects of the procedure

Article 50°. - Subjects of the procedure

For the purposes of compliance with the provisions of Administrative Law, the subjects of the procedure are understood to be:

1. Administrator: the natural or legal person who, regardless of their qualification or procedural status, participates in the administrative procedure. When an entity intervenes in a procedure as an administrator, it is subject to the rules governing it, with the same powers and duties as other administrators.

2. Administrative authority: the agent of entities that, under any legal regime and exercising public powers, initiate, instruct, support, resolve, execute, or otherwise participate in the management of administrative procedures.

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Subchapter I
Of the administered

Article 51°. - Content of the administered concept

The following are considered to be administered in respect of a specific administrative procedure:

1. Those who promote it as holders of individual or collective rights or legitimate interests.

2. Those who, without having initiated the procedure, have rights or legitimate interests that may be affected by the decision to be adopted.

Article 52°. - Procedural Capacity

Those persons who have legal capacity under the law have procedural capacity before entities.

Article 53°. - Representation of legal entities.

Legal entities may intervene in the procedure through their legal representatives, who act with the respective powers.

Article 54. °- Freedom of procedural action

54.1 The administrator is authorized, in his relations with the entities, to carry out any action that is not expressly prohibited by any legal provision.

54.2 For the purposes of the previous section, anything that impedes or disturbs the rights of other administrators, or the fulfillment of their duties with respect to the administrative procedure, is understood to be prohibited.

Article 55°. - Rights of the administered

The rights of those administered with respect to the administrative procedure are the following:

1. Priority in providing the required public service, maintaining strict order of entry.

2. To be treated with respect and consideration by the staff of the entities, on equal terms with other citizens.
3. Access, at any time, directly and without limitation, the information contained in the files of the administrative procedures in which they are parties and obtain copies of the documents contained therein, paying the cost of their request, except for the exceptions expressly provided for by law.

4. Access the free information that state entities must provide about their community-oriented activities, including their purposes, responsibilities, functions, organizational charts, location of offices, business hours, procedures, and characteristics.

5. To be informed in ex officio proceedings about their nature, scope and, if foreseeable, the estimated duration, as well as their rights and obligations during such proceedings.

6. Participate responsibly and progressively in the provision and control of public services, ensuring their efficiency and timeliness.
7. To comply with the deadlines determined for each service or action and to demand this from the authorities.
8. To be assisted by entities in fulfilling their obligations. 9. To know the identity of the authorities and personnel serving the entity under whose responsibility the procedures of interest are processed.

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10. That the actions of the entities that affect them are carried out in the least burdensome manner possible.
11. To the responsible exercise of the right to formulate analysis, criticism or question the decisions and actions of entities.
12. To demand accountability from entities and their staff, when legally appropriate, and 13. Other rights recognized by the Constitution or the laws.

Article 56°. - General duties of those administered in the procedure

Those administered in the administrative procedure, as well as those who participate in it, have the following general duties:

1. Refrain from making illegal claims or statements, from declaring facts that are contrary to the truth or not confirmed as if they were reliable, from requesting merely dilatory actions, or in any other way affecting the principle of procedural conduct.

2. Provide assistance in clarifying the facts.
3. Provide the authority with any information intended to identify other non-appearing administrators with a legitimate interest in the procedure.
4. Before submitting it to the entity, verify the authenticity of any substitute documentation and any other information that is based on the presumption of veracity.

Article 57°. - Provision of Information to Entities

57.1 Administrators are authorized to provide entities with the information and documents related to their requests or claims that they deem necessary to obtain a ruling.
57.2 In investigative proceedings, the administered parties are obliged to provide the information and documents that they knew and that were reasonably adequate to the objectives of the action in order to reach the material truth, in accordance with the provisions of the chapter on the investigation.

Article 58°. - Formalities of appearance

58.1 Entities may summon the personal appearance of those administered at their headquarters only when they have been expressly authorized to do so by law.
58.2 The administered parties may appear assisted by advisors when necessary for the best presentation of the truth of the facts.
58.3 At the verbal request of the administrator, the entity delivers at the end of the event, proof of his/her appearance and a copy of the minutes drawn up.

Article 59°.- Formalities of appearance

59.1 The summons is governed by the common notification regime, stating the following:

59.1.1 The name and address of the summoning body, along with the identification of the requesting
authority; 59.1.2 The purpose and subject of the
appearance; 59.1.3 The given name and
surname of the person summoned; 59.1.4 The day and time the person summoned must appear, which may not be earlier than three days after receipt of the summons, and, if foreseeable, the maximum duration of their presence. The day and time of the appearance may
be set by convention; 59.1.5 The legal provision authorizing the body to issue this summons; and 59.1.6 The warning, in case the request is insisted upon.

59.2 The appearance must be carried out, as far as possible, in a manner compatible with

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the work or professional obligations of those summoned.
59.3 A summons that violates any of the indicated requirements has no effect, nor does it oblige the administrators to attend.

Article 60°. - Third-party administrators

60.1 If during the processing of a procedure it is noted that there are certain third parties who have not appeared and whose rights or legitimate interests may be affected by the resolution issued, said processing and the actions taken must be communicated to them by means of a summons to the address that is known, without interrupting the procedure.

60.2 With respect to undetermined third-party administrators, the summons is made by publication or, where appropriate, by carrying out the public information or public hearing procedure, in accordance with this Law.

60.3 Third parties may appear at any stage of the procedure, having the same rights and obligations as the participants in it.

Subchapter II
From the administrative authority:
General principles and competence

Article 61°. - Source of administrative competence

61.1 The jurisdiction of the entities has its source in the Constitution and the law, and is regulated by the administrative rules derived from them.
61.2 Every entity is competent to perform the internal material tasks necessary for the efficient fulfillment of its mission and objectives, as well as for the distribution of the powers that fall within its competence.

Article 62°. - Presumption of decentralized jurisdiction

62.1 When a rule attributes to an entity some competence or power without specifying which bodies within it should exercise it, it should be understood that it corresponds to the lower-ranking body with the most similar function linked to it by reason of the subject matter and territories, and, in the event that there are several possible bodies, to the common hierarchical superior.

62.2 These bodies are particularly responsible for resolving matters that consist of the simple confrontation of facts with express rules or matters such as certifications, registrations, referrals to the archive, notifications, issuance of certified copies of documents, communications or the return of documents.

62.3 Each entity is competent to perform internal material tasks necessary for the efficient fulfillment of its mission and objectives.

Article 63°. - Inalienable nature of administrative jurisdiction

63.1 Any administrative act or contract that contemplates the waiver of ownership, or the abstention from the exercise of the powers conferred on any administrative body, is void.

63.2 Only by law, through an express court order, in a specific case, can an authority be required not to exercise some administrative power.
63.3 Delay or negligence in the exercise of jurisdiction or its non-exercise when appropriate, constitutes a disciplinary offense attributable to the respective authority.

Article 64°. - Conflict with the jurisdictional function

64.1 When, during the processing of a procedure, the administrative authority acquires knowledge that it is being processed in a jurisdictional venue

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A contentious issue between two citizens regarding certain private law relationships that need to be clarified prior to an administrative ruling will request communication from the judicial body regarding the actions taken.

64.2 Upon receipt of the communication, and only if it considers that there is strict identity of subjects, facts and grounds, the authority competent to resolve the procedure may determine its inhibition until the judicial body resolves the dispute.

The restraining order is referred to the hierarchical superior, if any, even if there is no appeal. If the restraining order is upheld, it is communicated to the corresponding Public Prosecutor so that, if appropriate and in the interests of the State, he or she may appear in the proceedings.

Article 65°. - Exercise of jurisdiction

65.1 The exercise of jurisdiction is a direct obligation of the administrative body that has been assigned it as its own, except for the change of jurisdiction for reasons of delegation or evocation, as provided for in this Law.
65.2 The management assignment, the delegation of signature and the substitution do not imply a change in the ownership of the competence.
65.3 The jurisdiction of the entities enshrined in the Constitution cannot be changed, altered or modified.

Article 66°. - Change of jurisdiction for organizational reasons If during the processing of an administrative procedure, the jurisdiction to hear it is transferred to another administrative body or entity for organizational reasons, the procedure will continue in that body or entity without going back or suspending deadlines.

Article 67°. - Delegation of competence

67.1 Entities may delegate the exercise of powers conferred on their bodies to other entities when there are technical, economic, social or territorial circumstances that make it convenient.

67.2 The essential powers of the body that justify its existence, the powers to issue general rules, to resolve administrative appeals in the bodies that have issued the acts subject to appeal, and the powers in turn received in delegation, are non-delegable.

67.3 While the delegation lasts, the delegator may not exercise the powers that he has delegated, except in cases where the law permits the avocation.
67.4 Administrative acts issued by delegation expressly indicate this circumstance and are considered issued by the delegating entity.
67.5 The delegation is extinguished:

a) By revocation or summons. b) By
fulfillment of the term or condition provided for in the act of delegation.

Article 68°. - Duty of vigilance of the delegator

The delegator will always have the obligation to supervise the management of the delegate, and may be liable to the latter for negligence in such supervision.

Article 69°. - Avocation of jurisdiction

69.1 In general, the law may consider exceptional cases of the transfer of knowledge by superiors, based on the subject matter or the particular structure of each entity.

69.2 The delegating entity may take charge of the knowledge and decision of any

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specific matter that must be decided by another party, by virtue of delegation.

Article 70° - Common provision for the delegation and avocation of jurisdiction

Any change in jurisdiction must be temporary, justified, and its content must refer to a series of acts or procedures indicated in the act that originated it.
The decision issued must be notified to the administrators involved in the ongoing procedure prior to the resolution being issued.

Article 71° - Management assignment

71.1 The performance of activities of a material, technical or service nature within the jurisdiction of an agency may be entrusted to other agencies or entities for reasons of efficiency, or when the entity in charge has the appropriate means to carry them out on its own.

71.2 The assignment is formalized by means of an agreement, which expressly states the activity or activities affected by the term of validity, their nature and scope.

71.3 The responsible body retains ownership of the competence and responsibility for it, and must supervise the activity.
71.4 By means of a law, entities may be authorized to carry out management assignments to non-state legal entities, when technical and budgetary reasons make it advisable under the same terms provided for in this article. Said assignment must be carried out in accordance with Administrative Law.

Article 72° - Delegation of signature

72.1 The heads of administrative bodies may delegate, by written communication, the signing of acts and decisions within their jurisdiction to their immediate subordinates, or to the heads of administrative bodies or units that depend on them, except in the case of resolutions of sanctioning procedures, or those that exhaust the administrative route.

72.2 In the case of delegation of signature, the delegator is solely responsible and the delegate is limited to signing what the former has resolved.
72.3 The delegate signs the acts with the notation "by", followed by the name and position of the delegator.

Article 73° - Substitution

73.1 The performance of the duties of the heads of the administrative bodies may be temporarily replaced in the event of a vacancy or justified absence by whomever is designated by the authority competent to make their appointment.
73.2 The substitute replaces the incumbent for all legal purposes, exercising the functions of the body with the full powers and duties contained therein.
73.3 If no one is appointed as a full or alternate, the position is temporarily assumed by the next highest ranking person in that unit; and if there is more than one person at the same level, by the person holding the position with the closest ties to the management of the area being replaced; and, if equivalence persists, by the person with the greatest seniority, in all cases on an interim basis.

Article 74°.- Decentralization

74.1 The ownership and exercise of powers assigned to administrative bodies shall be decentralized to other bodies hierarchically dependent on them, following the criteria established in this Law.
74.2 The governing bodies of the entities are freed from any routine execution, from issuing ordinary communications and from the tasks of formalizing administrative acts, so that they can

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focus on planning, supervision, coordination, internal control activities at their level and on the evaluation of results.
74.3 The authority to issue resolutions is transferred to the hierarchically dependent bodies, with the aim of bringing the administrative powers that concern their interests closer to the governed.

74.4 When a challenge is appropriate against administrative acts issued in the exercise of decentralized powers, the decision will be made by the person who transferred them, unless otherwise provided by law.

Article 75°.- Duties of the authorities in the procedures The following are the duties of the authorities with respect to the administrative procedure and its participants:

1. Act within the scope of their competence and in accordance with the purposes for which their powers were conferred.
2. Carry out its functions following the principles of administrative procedure provided for in the Preliminary Title of this Law.
3. To initiate the procedure ex officio when it detects any error or omission by the administrators, without prejudice to the action that corresponds to them.
4. Refrain from requiring administrators to comply with requirements, carry out procedures, provide information, or make payments not provided for by law.

5. Carry out the actions under their responsibility in a timely manner, to facilitate the timely exercise of the procedural acts of their office by the administered parties.
6. Explicitly resolve all submitted requests, except in those procedures requiring automatic approval.

7. Ensure the effectiveness of procedural actions, seeking to simplify their procedures, with no formalities other than those essential to guarantee respect for the rights of those governed or to provide certainty in the proceedings.

8. Interpret administrative regulations in a way that best serves the public purpose to which they are directed, reasonably preserving the rights of those governed.
9. Others provided for in this Law or derived from the duty to protect, preserve and provide assistance to the rights of those administered, with the purpose of preserving their effectiveness.

Subchapter III
Collaboration between entities

Article 76°.- Collaboration between entities

76.1 Relations between entities are governed by the criterion of collaboration, without this implying a waiver of their own jurisdiction as established by law.
76.2 In accordance with the criteria of collaboration, entities must:

76.2.1 Respect the exercise of jurisdiction by other entities, without questioning outside of institutional levels.
76.2.2 Directly provide the data and information they possess, regardless of their legal nature or institutional position, through any means, with no other limitation than that established by the Constitution or the law, for which purpose the interconnection of electronic information processing equipment, or other similar means, will be encouraged.

76.2.3 Provide, within its own sphere, the active cooperation and assistance that other entities may require to fulfill their own functions, unless this causes them high costs or jeopardizes the fulfillment of their own functions.

76.2.4 Provide entities with the evidence in their possession, when requested for the best performance of their duties, unless otherwise provided by law.

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Article 77°.- Means of inter-institutional collaboration

77.1 Entities are empowered to provide stability to inter-institutional collaboration through conferences between related entities, collaboration agreements, or other legally admissible means.

77.2 Conferences between related entities allow those entities that correspond to the same administrative problem to meet to exchange solution mechanisms, promote institutional collaboration on specific common aspects and establish bilateral cooperation bodies.

The agreements will be formalized when warranted, through agreements signed by authorized representatives.

77.3 Through collaboration agreements, entities, through their authorized representatives, enter into agreements within the scope of their respective jurisdiction, which are binding on the parties and include an express clause of free accession and withdrawal.

Article 78°.- Execution of collaboration between authorities

78.1 The origin of the requested collaboration is regulated in accordance with the rules of the requesting authority, but its compliance is governed by the rules of the requested authority.

78.2 The authority requesting the collaboration is solely responsible for the legality of the request and the use of its results. The requested authority is responsible for the execution of the collaboration.

Article 79°.- Costs of collaboration.

79.1 The request for collaboration does not determine the payment of any administrative fee.

79.2 At the request of the requested authority, the requesting authority of another entity shall be required to pay the latter the actual costs incurred when the actions are outside the scope of the entity's ordinary activity.

Subchapter IV
Conflicts of jurisdiction and abstention

Article 80°.- Control of competence Upon receipt
of the request or the provision from a higher authority, as the case may be, to initiate a procedure, the authorities must ensure their own competence to continue with the normal development of the procedure, following the criteria applicable to the case of the subject matter, the territory, the time, the degree or the amount.

Article 81.- Conflicts of jurisdiction

81.1 Incompetence may be declared ex officio, once assessed in accordance with the previous article or at the request of the administered, by the body that knows the matter or by the hierarchical superior.

81.2 In no case may lower levels compete with a higher level, and in any case, the higher level must explain the reasons for its disagreement.

Article 82°.- Decline of jurisdiction

82.1 The administrative body that is deemed incompetent to process or resolve a matter shall directly refer the proceedings to the body it considers competent, with the knowledge of the citizen.

82.2 The body that declines its jurisdiction, at the request of a party and before another assumes it, may adopt the necessary precautionary measures to avoid damages.

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serious or irreparable damages to the entity or to the administrators, communicating it to the competent body.

Article 83°.- Negative conflict of jurisdiction In the event of a negative conflict of jurisdiction, the file is referred to the immediately higher body to resolve the conflict.

Article 84°.- Positive conflict of jurisdiction

84.1 The body that considers itself competent requests the inhibition of the body that is hearing the matter, which, if it agrees, sends the proceedings to the requesting authority so that the process can continue.
84.2 If the requested authority maintains its jurisdiction, it shall forward the proceedings to the immediate superior to resolve the conflict.

Article 85°.- Resolution of conflict of jurisdiction In any conflict of jurisdiction, the body to which the file is referred shall issue an unappealable resolution within a period of four days.

Article 86°.- Competence to resolve conflicts

86.1 The common hierarchical superior, and if there is none, the head of the entity, is responsible for resolving positive or negative conflicts of jurisdiction within the same entity.

86.2 Conflicts of jurisdiction between authorities within the same Sector are resolved by the person responsible for that Sector, and conflicts between other Executive Branch authorities are resolved by the Presidency of the Council of Ministers, through an unmotivated decision; under no circumstances are the authorities referred to the courts.

86.3 Conflicts of jurisdiction between other entities shall be resolved in accordance with the provisions of the Constitution and the laws.

Article 87°.- Continuation of the procedure After the conflict of jurisdiction has been resolved, the body that is competent to hear the matter continues the procedure according to its status and retains all the actions taken, except for that which is not legally possible.

Article 88°.- Causes for abstention The authority that has the power to decide or whose opinions on the merits of the procedure may influence the meaning of the decision, must abstain from participating in matters whose jurisdiction is attributed to it, in the following:
cases:

1. If you are a relative within the fourth degree of consanguinity or second degree of affinity with any of the administrators or with their representatives, agents, with the directors of their companies, or with those who provide services to them.
2. If he/she has intervened as an advisor, expert or witness in the same procedure, or if as an authority he/she has previously expressed his/her opinion on the same, so that it could be understood that he/she has ruled on the matter, except for the rectification of errors or the decision on the reconsideration appeal.

3. If personally, or his/her spouse or any relative within the fourth degree of consanguinity or second degree of affinity, has an interest in the matter in question or in a similar matter, the resolution of which may influence the situation of the former.
4. When there is a close friendship, manifest enmity or objective conflict of interest with any of the administrators involved in the procedure, which becomes evident through attitudes or evident facts in the procedure.

5. When you have or have had in the last two years, a relationship of service or subordination with any of the administrators or third parties directly

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interested in the matter, or if a business agreement is planned with any of the parties, even if it does not materialize later.

Article 89°.- Promotion of abstention

89.1 The authority that finds itself in any of the circumstances indicated in the previous article, within two (2) business days following the day in which it began to know about the matter, or in which it learned about the supervening cause, raises its abstention in a reasoned writing, and forwards the proceedings to the immediate hierarchical superior, to the president of the immediate hierarchical superior, to the president of the collegiate body or to the plenary, as the case may be, so that without further procedure, it pronounces on the abstention within the third day.

89.2 When the authority does not abstain despite the existence of any of the reasons expressed, the administrator may make this situation known to the head of the entity, or to the plenary session, if it is a collegiate body, at any time.

Article 90° - Superior provision of abstention

90.1 The immediate hierarchical superior orders, ex officio or at the request of the administered, the abstention of the agent who falls into any of the causes referred to in Article 89 of this Law.

90.2 In this same act, the person who will continue to hear the matter is designated, preferably among authorities of equal rank, and the file will be forwarded to him or her.
90.3 When there is no other public authority capable of hearing the matter, the superior will choose to authorize an ad hoc authority, or order that the person incurred in the cause of abstention process and resolve the matter, under his direct supervision.

Article 91°.- Consequences of non-abstention

91.1 The participation of the authority in which any of the causes of abstention occur does not necessarily imply the invalidity of the administrative acts in which it has intervened, except in the case in which manifest impartiality or arbitrariness is evident or that it has caused defenselessness to the administered.

91.2 Without prejudice to this, the hierarchical superior orders the initiation of administrative, civil or criminal liability actions against the authority that has not refrained from intervening, knowing of the existence of the cause.

Article 92°.- Abstention procedure The
processing of an abstention will be carried out incidentally, without suspending the deadlines for resolution or for administrative silence to operate.

Article 93° - Appeal of the decision The resolution of
this matter is not appealable in administrative proceedings, except for the possibility of alleging non-abstention as the basis for the administrative appeal against the final resolution.

Article 94 - Removal of the abstained authority The authority that is
removed from the procedure as a result of abstention cooperates to contribute to the speed of the attention of the procedure, without participating in subsequent meetings or in the deliberation of the decision.

Subchapter V
Collegiate Bodies

Article 95° - Regime of collegiate bodies The internal functioning
of the collegiate bodies, permanent or temporary, of the entities, including those in which representatives of non-state trade, social or economic organizations participate, are subject to the provisions of this section.

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Article 96°.- Authorities of collegiate bodies

96.1 Each collegiate body of the entities is represented by a President, in charge of ensuring the regularity of the deliberations and executing its agreements, and has a Secretary, in charge of preparing the agenda, keeping, updating and preserving the minutes of the sessions, communicating the agreements, granting copies and other acts inherent to the nature of the position.

96.2 In the absence of an express designation in the form prescribed by the ordinance, the indicated positions are elected by the collegiate body itself from among its members, by absolute majority of votes.
96.3 In the event of justified absence, they may be replaced on a provisional basis by substitutes or, failing that, by whomever the board chooses from among its members.

Article 97°.- Powers of the members The members of the collegiate bodies are responsible for:

1. Receive, with reasonable advance notice, the call to the sessions, with the agenda containing the order of the day and sufficient information on each topic, so that they can be aware of the issues to be discussed.
2. Participate in the debates of the sessions.
3. Exercise their right to vote and cast their individual vote when deemed necessary, as well as express the reasons justifying it. The reasons for a individual vote may be given at the time of voting or submitted in writing the following day.

4. Make requests of any kind, particularly to include topics on the agenda, and ask questions during debates.
5. Receive and obtain a copy of any document or minutes of the collegiate body's sessions.

Article 98°.- Session regime

98.1 All members shall meet ordinarily as frequently and on the day indicated by their regulations; and, in the absence of both, when they so agree.
98.2 The convening of collegiate bodies is the responsibility of the President and must be notified together with the agenda with reasonable advance notice, except for urgent or periodic sessions on a fixed date, in which the convening may be waived.

98.3 However, it is validly constituted without complying with the requirements of convening or agenda, when all its members meet and unanimously agree to begin the session.

98.4 Once the session has begun, no matter outside the agenda may be agreed upon, unless all members of the collegiate body are present and approve its inclusion by unanimous vote, due to the urgency of reaching an agreement on it.

Article 99°.- Quorum for sessions

99.1 The quorum for the installation and valid session of the collegiate body is the absolute majority of its members.
99.2 If there is no quorum for the first session, the body shall be constituted in a second call on the day following the date set for the first, with a quorum of one-third of the legal number of its members, and in any case, in a number not less than three.

99.3 Once a meeting has been held, it may be suspended only due to force majeure, with the obligation to resume it on the date and at the place indicated at the time of suspension. If this cannot be indicated at the meeting itself, the Chair will call the date for its resumption, giving all members reasonable notice.

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Article 100°.- Quorum for voting

100.1 Agreements are adopted by the votes of the majority of those present at the time of the vote in the respective session, unless the law expressly establishes a different rule; the President has the casting vote in the event of a tie.

100.2 Members of the collegiate body who express a vote other than the majority must record their position and the reasons justifying it in the minutes.
The Secretary will record this vote in the minutes together with the decision adopted.
100.3 In the case of advisory or reporting collegiate bodies, the majority agreement is accompanied by any individual vote.

Article 101.- Compulsory voting

101.1 Unless otherwise provided by law, members of collegiate bodies attending the session and not legally prevented from participating must state their position on the proposal under discussion, and abstention from voting is prohibited.
101.2 When abstention from voting is authorized by law, such position must be justified in writing.

Article 102°.- Minutes of session.

102.1 Minutes are kept for each session, including the name of the attendees, the time and place at which it was held, the points of discussion, and each resolution separately, indicating the form and meaning of the votes of all participants. The resolution clearly expresses the meaning of the decision and its rationale.

102.2 The minutes are read and submitted for approval by the members of the collegiate body at the end of the same session or at the beginning of the next one. However, the Secretary may certify the specific agreements already approved, and the plenary may authorize the immediate execution of what has been agreed.
102.3 Each record, after being approved, is signed by the Secretary, the President, by those who voted individually and by those who so request.

CHAPTER III

Initiation of the procedure

Article 103°.- Forms of initiation of the procedure The
administrative procedure is initiated ex officio by the competent body or instance of the administered, unless by legal provision or by its purpose it must be initiated exclusively ex officio or at the request of the interested party.

Article 104°.- Initiation of Office

104.1 For a procedure to be initiated ex officio, there must be a provision from a higher authority that justifies it in that sense, a motivation based on the fulfillment of a legal duty or the merit of a complaint.
104.2 The ex officio initiation of the procedure is notified to the specific citizens whose interests or protected rights may be affected by the acts to be executed, except in the case of subsequent inspection of requests or their documentation, based on the presumption of veracity. The notification includes information on the nature, scope, and, if foreseeable, the estimated duration, as well as their rights and obligations during such action.
104.3 Notification is made immediately after the decision is issued, unless the regulations authorize it to be deferred due to its confidential nature based on the public interest.

Article 105°.- Right to file complaints

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105.1 Every citizen is empowered to communicate to the competent authority any facts that he or she is aware of regarding contracts to the legal system, without needing to justify the immediate affectation of any right or legitimate interest, nor that this action will make him or her a subject of the procedure.

105.2 The communication must clearly state the relationship between the facts, the circumstances of time, place and manner that allow for their verification, the indication of the alleged perpetrators, participants and victims, the provision of evidence or its description so that the administration can locate it, as well as any other element that allows for its verification.

105.3 Its presentation requires the necessary preliminary investigations to be carried out and, once its plausibility has been verified, the respective audit to be initiated ex officio.
The rejection of a complaint must be justified and communicated to the complainant, if identified individually.

Article 106°.- Right to administrative petition

106.1 Any citizen, individually or collectively, may promote in writing the initiation of an administrative procedure before any and all entities, exercising the right to petition recognized in Article 2, paragraph 20) of the Public Constitution of the State.

106.2 The right to administrative petition includes the powers to submit requests in the particular interest of the citizen, to make requests in the general interest of the community, to challenge administrative acts, the powers to request information, to make inquiries, and to submit requests for pardon.

106.3 This right implies the obligation to provide the interested party with a written response within the legal deadline.

Article 107°.- Request in the private interest of the administered Any administered party with legal capacity has the right to appear personally or be represented before the administrative authority, to request in writing the satisfaction of his legitimate interest, obtain the declaration, recognition or granting of a right, the record of a fact, exercise a power or formulate legitimate opposition.

Article 108°.- Request in the general interest of the community

108.1 Natural or legal persons may submit petitions or challenge acts before the competent administrative authority, citing the diffuse interest of society.

108.2 This power includes the possibility of communicating and obtaining a response regarding the existence of problems, obstacles or regulatory obstacles or those arising from administrative practices that affect access to entities, the relationship with administrators or compliance with procedural principles, as well as presenting any suggestion or initiative aimed at improving the quality of services, increasing performance or any other measure that implies a higher level of satisfaction of society with respect to public services.

Article 109°.- Faculty of administrative contradiction

109.1 In the event of an act that is presumed to violate, affect, ignore or injure a right or legitimate interest, it may be challenged through administrative channels in the manner provided for in this Law, so that it may be revoked, modified, annulled or its effects suspended.

109.2 For an interest to justify the administrator's ownership, it must be legitimate, personal, current, and proven. The interest may be material or moral.
109.3 The reception or attention of a contradiction cannot be conditioned to the prior fulfillment of the respective act.

Article 110°.- Faculty to request information

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110.1 The right to petition includes the right to request information held by entities, following the regime provided for in the Constitution and the Law.
110.2 Entities establish mechanisms for responding to requests for specific information and provide interested parties with general information on topics of recurring interest to citizens, including by telephone.

Article 111°.- Power to make inquiries

111.1 The right to petition includes written consultations with administrative authorities regarding matters under their responsibility and the meaning of current regulations that encompass their actions, particularly those issued by the entity itself.
111.2 Each entity assigns to one or more of its units the authority to resolve queries based on the interpretation precedents followed within it.

Article 112°.- Faculty to formulate requests for grace

112.1 By the power to formulate requests for grace, the administrator may request the head of the competent entity to issue an act subject to his discretion or free assessment, or to provide a service when he does not have another specific legal title that allows him to demand it as a request in a particular interest.

112.2 In response to this request, the authority informs the citizen of the gracious nature of the request and the citizen is directly attended to by effectively providing what was requested, unless there is an express provision of the law that provides for a formal decision for its acceptance.

112.3 This right is exhausted by its exercise through administrative channels, without prejudice to the exercise of other rights recognized by the Constitution.

Article 113°.- Requirements for documents Every
document submitted to any entity must contain the following:

1. Full name, address, and National Identity Document or Alien Registration Card number of the beneficiary, and, where applicable, the status of representative and the person they represent.

2. The specific expression of what is being requested, the factual grounds that support it and, where possible, the legal grounds.
3. Place, date, signature or fingerprint, if you cannot sign or are unable to do so.
4. The indication of the body, entity or authority to which it is addressed, understood as, where possible, the authority of the closest rank to the user, according to the hierarchy, with the competence to hear and resolve it.
5. The address of the place where you wish to receive notifications of the procedure, when it is different from the actual address stated under section 1. This designation of address takes effect from its indication and is presumed to remain in effect until its change is expressly communicated.

6. The list of accompanying documents and annexes, indicated in the TUPA.
7. Identification of the file of the matter, in the case of procedures already initiated.

Article 114°.- Copy of writings

114.1 The document is submitted on plain paper accompanied by a legible, authenticated copy, unless a larger copy is required to notify third parties. The copy is returned to the administrator with the signature of the authority and a receipt stamp indicating the date, time, and place of submission.

114.2 The charge thus issued has the same legal value as the original.

Article 115°.- Representation of the administered

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115.1 For the ordinary processing of procedures, a general power of attorney is required, formalized by simply designating a specific person in writing, or by accrediting a power of attorney with the signature of the administrator.
115.2 To withdraw a claim or proceeding, to resort to the conventional methods of terminating the proceeding, or to collect money, a special power of attorney is required, expressly indicating the act or acts for which it was granted. The special power of attorney is formalized at the discretion of the beneficiary, through a private document with signatures legalized before a notary or public official authorized for that purpose, as well as through a declaration made in person by the beneficiary and representative before the authority.

115.3 The use of representation does not prevent the intervention of the administered party when he considers it pertinent, nor the fulfillment by the latter of the obligations that require his personal appearance according to the rules of this Law.

Article 116°.- Accumulation of applications

116.1 In the event that several administrators are interested in obtaining the same administrative act without incompatible interests, they may appear jointly by means of a single document, forming a single file.

116.2 More than one request may be combined into a single document, provided that they concern related matters that can be processed and resolved jointly, but not subsidiary or alternative approaches.

116.3 If, in the opinion of the administrative authority, there is no connection or incompatibility between the requests presented in a document, they will be summoned to present separate requests, under penalty of proceeding ex officio to substantiate them individually if they are separable, or failing that, order the abandonment of the procedure.

Article 117°.- Document reception

117.1 Each entity has its general unit for document reception, documented processing or information desk, except when the entity provides services in several properties located in different areas, in which case it is necessary to open auxiliary registers to the main one in each location, to which they report all registrations they make.
117.2 These units are responsible for keeping records of the receipt of submitted documents and the release of documents issued by the entity to other bodies or administrators. To this end, they issue the invoice, make the corresponding entries in the order of receipt or release, indicating the receipt number, nature, date, sender, and recipient.

Once the registration is complete, the documents or resolutions must be sent to their recipients on the same day.
117.3 These units will tend to manage their information in computer format, ensuring its integration into a single documented processing system.
117.4 Also through these units, the administrators carry out all the relevant procedures and obtain the information they require for this purpose.

Article 118°.- Rules for speedy reception Entities adopt the following actions to facilitate the personal reception of documents from administrators and avoid their accumulation:

1. The implementation of programs to streamline user support time and the increased simultaneous provision of servers dedicated exclusively to user support.

2. The service of advising users to complete forms or document templates.

3. Adapt its business hours regime for public attention, in order to adapt it to the forms provided for in Article 137° 4. Study the seasonality of the demand for its services and dictate the measures

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preventive measures to avoid it.
5. Install self-service mechanisms that allow users to directly provide their information, tending toward the use of advanced levels of digitalization.

Article 119°.- General rules for the reception of documents The documents that the administrators address to the entities may be presented personally or through third parties, before the reception units of:

1. The administrative bodies to which they are addressed.
2. The decentralized bodies of the entity.
3. The political authorities of the Ministry of the Interior in the corresponding constituency.

4. In post offices, in the manner expressly provided for in this Law.
5. In diplomatic representations or consular offices abroad, in the case of citizens residing abroad, who forward the documents to the competent entity, indicating the date of submission.

Article 120°.- Presentation by certified mail

120.1 The administrators may submit their documents, with complete supporting documents, by certified mail with acknowledgment of receipt to the competent entity, which will record the certificate number and the date of receipt in its registry.
120.2 At the time of dispatch, the administrator displays the document in an open envelope and ensures that the postal agent prints his date stamp on both his document and the envelope.

120.3 In case of doubt, the date stamped on the document must be used, and failing that, the date of receipt by the entity.
120.4 This modality does not apply to the presentation of administrative appeals or in trilateral procedures.

Article 121°.- Reception by alternative means

121.1 Individuals residing outside the province where the competent entity's reception unit is located may submit documents addressed to other departments of the entity through the decentralized body located in their place of residence.

121.2 When entities do not have decentralized services in the area of residence of the citizen, the documents may be submitted to the offices of the political authorities of the Ministry of the Interior in the place of residence.
121.3 Within the following twenty-four hours, these units shall forward what they have received to the recipient authority by any expeditious means available to them, indicating the date of submission.

Article 122°.- Common presumption for alternative means of reception For the purposes of expiration of deadlines, it is presumed that the documents and communications submitted through certified mail, decentralized bodies and authorities of the Ministry of the Interior, have entered the recipient entity on the date and time they were delivered to any of the indicated departments.

Article 123°.- Reception by remote data transmission

123.1 The data subjects may request that the information or documentation they are to receive within a procedure be sent by remote transmission means, such as email or facsimile.

123.2 Whenever they have remote data transmission systems, entities facilitate their use for receiving documents or requests and forwarding their decisions to the citizens.

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123.3 When remote data transmission means are used, the respective document or resolution must be physically submitted within three days, and compliance with this will be deemed received on the date the email or facsimile is sent.

Article 124°.- Obligations of reception units

124.1 Document reception units guide the user in the submission of their applications and forms, and are obliged to receive them and admit them to initiate or promote the procedures, without in any case being able to qualify, deny or defer their admission.

124.2 The person receiving the applications or forms must note under his or her signature on the document itself, the time, date and place where he or she received it, the number of pages it contains, the mention of the accompanying documents and the copy presented.
As proof of receipt, the submitted copy is delivered, completed with the respective annotations and registered, without prejudice to other additional modalities that may be convenient to extend due to the procedure.

Article 125°.- Observations on documentation presented

125.1 All forms or documents submitted must be received, even if they fail to meet the requirements established in this Law, are not accompanied by the corresponding supporting documents, or are affected by another formal defect or omission provided for in the TUPA (Tax Administration Procedure) that warrants correction. In a single act and only once, the receiving unit, upon submission, makes observations for noncompliance with requirements that cannot be resolved ex officio, inviting the user to correct them within a maximum period of two business days.

125.2 The observation must be noted under the signature of the recipient in the request and in the copy that the administrator will keep, with the respective allegations if any, indicating that, if this is not done, the request will be considered not submitted.

125.3 While the correction is pending, the following rules apply:

125.3.1 There is no time limit for the operation of administrative silence, nor for the submission of the application or appeal.
125.3.2 Automatic approval of the administrative procedure, if applicable, is not applicable.

125.3.3 The unit does not send the request or form to the department responsible for its actions in the procedure

125.4 If the deadline has elapsed without any correction, the entity will consider the application or form as not submitted and will return it with its supporting documents when the interested party appears to make a claim, reimbursing the amount of the processing fees that they have paid.

Article 126°.- Documentary correction

126.1 Once the document has been filed or the correction has been duly formulated, it is considered received from the initial document, unless the procedure confers registration priority or it is a trilateral procedure, in which case the filing operates from the correction.

126.2 If the administrator promptly corrects the omissions or defects indicated by the entity, and the document or form is objected to again due to alleged new defects, or to commissions existing since the initial document, the applicant may, alternatively or additionally, file a complaint with the superior, or correct his documents according to the new instructions of the official.

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Article 127°.- Notary system When requirements
for document authentication are established, the administrator may resort to the notary system described below:

1. Each entity designates institutional notaries assigned to its document reception units, in a number proportional to its service needs, who, without excluding their ordinary duties, provide their services free of charge to the citizens.

2. The notary public's personal responsibility is to verify and authenticate, after comparing the original presented by the citizen and the copy submitted, the accuracy of the content of the latter for use in the entity's procedures, when the administrative action requires the aggregation of documents or the citizen wishes them to be added as evidence. They may also, at the request of citizens, certify signatures after verifying the identity of the signer, for specific administrative actions where this is necessary.

3. In the event of complexity arising from the number or nature of the documents to be authenticated, the document processing office will consult with the interested party about the possibility of retaining the originals. For this purpose, a document retention certificate will be issued to the interested party for a maximum of two business days to certify the corresponding copies. Once this period has been reached, the aforementioned originals will be returned to the interested party.

4. The entity may request at any stage of the procedure the presentation of the original presented for authentication by the notary.

Article 128°.- Administrative power to authenticate own acts The power to perform authentications attributed to notaries does not affect the administrative power of the authorities to attest to the authenticity of the documents they themselves have issued.

Article 129°.- Ratification of signature and content of writing

129.1 In case of doubt about the authenticity of the administrator's signature or lack of clarity regarding the details of his request, as a first action, the authority may notify him so that within a reasonable period of time he may ratify the signature or clarify the content of the document, without prejudice to the continuation of the procedure.
129.2 The administrator may ratify the matter in writing or by appearing before the entity, in which case the corresponding minutes will be drawn up and added to the file.

129.3 The application may be improved by the administrator in the cases referred to in this article.

Article 130°.- Presentation of documents before incompetent bodies

130.1 When an application is submitted that is deemed to be the responsibility of another entity, the receiving entity must forward it to the entity it considers competent, communicating this decision to the administrator.
130.2 If the entity finds itself incompetent but is not certain about the competent entity, it will notify the administrator of this situation so that he or she may adopt the decision most convenient to his or her rights.

CHAPTER IV

Terms and Conditions

Article 131°.- Mandatory deadlines and terms

131.1 The terms and deadlines are understood as maximums, are computed independently of any formality, and are equally binding on the administration and the administered, without the need for coercion, in that which respectively concerns them.

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131.2 Every authority must comply with the terms and deadlines under their responsibility, as well as supervise that subordinates comply with those of their level.
131.3 It is the right of the administered to demand compliance with the deadlines and terms established for each action or service.

Article 132° - Maximum deadlines for carrying out procedural acts In the absence of a deadline established by express law, the actions must be produced within the following:

1. For receipt and referral of a document to the competent unit: within the same day of its submission.

2. For mere procedural acts and to decide on requests of that nature: within three days.
3. For the issuance of opinions, expert reports, and similar matters: within seven days of the request; this may be extended for three more days if the procedure requires travel outside the office or the assistance of third parties.
4. For acts of the administrator's responsibility required by the authority, such as the delivery of information and the response to questions on which they must address themselves within ten days of the request.

Article 133° - Start of computation

133.1 The period expressed in days is counted from the business day following the day on which the notification or publication of the act is made, unless the latter specifies a later date, or it is necessary to make successive publications, in which case the calculation begins from the last one.

133.2 The period expressed in months or years is counted from the notification or publication of the respective act, unless it provides for a later date.

Article 134° - Passage of the term

134.1 When the period is specified in days, it shall be understood as consecutive working days, excluding from the calculation those non-working days of the service, and non-working holidays of national or regional order.
134.2 When the last day of the deadline or the given date is a non-business day or for any other reason the public attention that day does not operate during normal hours, they are understood to be extended to the first following business day.
134.3 When the term is set in months or years, it is counted from date to date, concluding on the day of the month or year it began, completing the number of months or years established for the period. If in the expiration month there is no day equal to the one on which the calculation began, the term is understood to expire on the first business day of the following calendar month.

Article 135°.- End of the distance

135.1 To the calculation of the deadlines established in the administrative procedure, the term of the distance foreseen between the place of residence of the administered within the national territory and the location of the reception unit closest to the one authorized to carry out the respective action is added.
135.2 The distance terms table is approved by the competent authority.

Article 136° - Non-extendable deadlines

136.1 The deadlines set by express rule are non-extendable, unless there is an enabling provision to the contrary.
136.2 The competent authority may grant an extension to the deadlines established for the performance of tests or for the issuance of reports or opinions, when requested before their expiration by the administrators or officials, respectively.

136.3 The extension is granted only once by express decision, always

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that the deadline has not been affected by any cause attributable to the person requesting it and provided that it does not affect the rights of third parties.

Article 137°.- Regime for non-working days

137.1 The Executive Branch establishes by supreme decree, within the national or any particular geographic scope, the non-working days for the purpose of calculating administrative deadlines.

137.2 This standard must be published in advance and permanently disseminated in the entities' environments, in order to allow its knowledge to the administrators.

137.3 Entities cannot unilaterally disable days, and, even in the event of force majeure that prevents the normal operation of their services, they must guarantee the maintenance of the service of their document reception unit.

Article 138°.- Regime of business hours The business
hours of the entities for carrying out any action are governed by the following rules:

1. Business hours are those corresponding to the schedule established for the operation of the entity, and in no case may user service be less than eight consecutive hours per day.

2. Daily business hours are established by each entity, during a period that does not coincide with regular working hours, to facilitate the fulfillment of citizens' obligations and activities. To this end, it distributes its staff by shift, with work days of no more than eight hours per day.

3. The business hours are continuous to provide services to all matters within its jurisdiction, without breaking them up to address certain issues on specific days or at certain times, nor affecting their development for personal reasons.
4. The service hours conclude with the provision of service to the last person appearing within business hours.
5. Acts of a continuous nature initiated during business hours are concluded without affecting their validity after business hours, unless the administrator agrees to defer them.

6. The official time kept by the entity shall apply to each service; in case of doubt or in the absence of such a time, the official time shall be verified immediately, if possible, and shall prevail.

Article 139°.- Calculation of calendar days

139.1 In the case of the deadline for the fulfillment of internal procedural acts by entities, the legal norm may establish that its calculation be in calendar days, or that the term expires with the conclusion of the last day even if it is a non-working day.

139.2 When a law indicates that the calculation of the period for a procedural act by the administered party is in calendar days, this circumstance is expressly notified to the administered party in the notification.

Article 140°.- Effects of the expiration of the term

140.1 The deadline expires at the last moment of the established business day, or in advance, if the actions for which it was established are completed before that date.
140.2 Upon expiration of a non-extendable period for carrying out an action or exercising a procedural power, after having been warned, the entity declares the right to the corresponding act lapse, notifying the decision.
140.3 The expiration of the deadline for performing an act by the Administration does not exempt it from its obligations under public order. Late administrative action is not void, unless the law expressly provides otherwise due to the peremptory nature of the deadline.

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140.4 Preclusion due to the expiration of administrative deadlines operates in trilateral and concurrent procedures, and in those where, due to the existence of two or more administrators with divergent interests, they must be assured equal treatment.

Article 141°.- Advancement of deadlines The authority in charge of the instruction of the procedure, by means of an unappealable decision, may reduce the deadlines or advance the terms, directed to the administration, taking into account reasons of opportunity or convenience of the case.

Article 142°.- Maximum term of the administrative procedure The term that elapses from the initiation of an administrative procedure of prior evaluation until the date on which the respective resolution is issued may not exceed thirty days, unless the law establishes procedures whose fulfillment requires a longer duration.

Article 143°.- Liability for failure to comply with deadlines

143.1. Unjustified failure to comply with the deadlines established for the actions of entities generates disciplinary liability for the obligated authority, without prejudice to civil liability for any damages that may have been caused.

143.2. The hierarchical superior is also jointly liable for failure to supervise, if the failure is repeated or systematic.

CHAPTER V

Regulation of the Procedure Article 144°.- Unity of view Administrative procedures are developed ex officio, in a simple and effective manner without recognizing specific forms, procedural phases, rigid procedural moments to carry out certain actions or respond to precedence between them, unless expressly provided otherwise by law in special procedures.

Article 145.- Proceedings of the Procedure The competent authority, even without a request from a party, must initiate any action necessary for its processing, overcome any obstacle that stands in the way of regular processing of the procedure; determine the applicable rule in the case even if it has not been invoked or the legal citation is erroneous; and avoid obstruction or delay due to unnecessary or merely formal proceedings, adopting the appropriate measures to eliminate any irregularities that may arise.

Article 146°.- Precautionary measures

146.1 Once the procedure has been initiated, the competent authority, by means of a reasoned decision and with sufficient elements of judgment, may provisionally adopt, under its responsibility, the precautionary measures established in this Law or other applicable legal provisions, by means of a reasoned decision, if there is a possibility that without their adoption the effectiveness of the resolution to be issued is jeopardized.
146.2 Precautionary measures may be modified or lifted during the course of the proceedings, ex officio or at the request of a party, due to supervening circumstances or circumstances that could not be considered at the time of their adoption.

146.3 The measures expire automatically when the resolution ending the procedure is issued, when the period set for their execution has elapsed, or when the resolution ending the procedure is issued.

146.4 Measures that may cause irreparable harm to the citizens may not be dictated.

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Article 147°.- Issues other than the main matter

147.1 Any questions raised by the citizens during the processing of the procedure on matters other than the main issue do not suspend its progress and must be resolved in the final resolution of the instance, unless otherwise expressly provided by law.

147.2 Such issues, to be heard jointly with the main issue, may be raised and argued before the brief. After this time, they may be raised exclusively in the appeal.

147.3 When the law provides for an advance decision on the issues, for the purposes of their challenge, the resolution issued under these conditions is considered provisional in relation to the final act.
147.4 Any claims other than the substantive issue that, in the opinion of the instructor, are not linked to the validity of procedural acts, due process, or are not connected to the claim will be rejected outright, without prejudice to the fact that the administrator may raise the issue when appealing against the resolution that concludes the instance.

Article 148°.- Rules for speed To ensure
compliance with the principle of speed of procedures, the following rules are observed:

1. In the promotion and processing of cases of the same nature, the order of admission is strictly followed, and they are resolved as their status allows, informing the superior of the reasons for delay in compliance with the legal deadlines, which cannot be removed ex officio.
2. A single decision shall order the fulfillment of all necessary procedures that are required by their nature, provided that their fulfillment is not successively subordinate to each other, and all possible diligences and evidence gathering procedures shall be concentrated in a single act, ensuring that the development of the procedure is carried out in the smallest number of procedural acts.

3. When requesting procedures to be carried out by other authorities or administrators, the final deadline for compliance must be stated with a specific date, as well as the warning, if provided for in the regulations.
4. Under no circumstances may the processing of files or the service be affected by the absence, whether temporary or not, of any authority. Authorities who are away from their workplace for reasons of leave, vacation, or other temporary or permanent reasons shall hand over the documents and files under their charge to their substitute or their hierarchical superior, with the knowledge of those serving.

5. When the motivation for several resolutions is identical, mass production means may be used, provided that this does not harm the legal guarantees of the governed; however, each resolution will be considered an independent act.

6. In order to initiate the procedure, the competent authority may assign an immediate subordinate to carry out specific instigating steps, or request the collaboration of another authority to do so. In collegiate bodies, such action must fall to one of its members.

7. In no case may the authority allege deficiencies of the administered party not noticed when submitting the application as grounds for denying the claim.

Article 149°.- Accumulation of procedures The
authority responsible for the instruction, on its own initiative or at the request of the administered, orders by means of an unappealable resolution the accumulation of the procedures in progress that are connected.

Article 150°.- Single file rule

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150.1 Only one file may be organized for the resolution of a single case, in order to keep all the actions for resolution together.
150.2 When the application relates to a single claim, a single file will be processed and an authority will intervene and resolve, which will collect from the bodies or other authorities the reports, authorizations and agreements that are necessary, without prejudice to the right of the administered parties to request the relevant procedures themselves and to provide the relevant documents.

Article 151°.- Documentary information Documents,
minutes, forms and administrative files are standardized in their presentation so that each species or type of them has the same characteristics.

Article 152°.- External presentation of files

152.1 The files are collated following the regular order of the documents that comprise them, forming correlative bodies that do not exceed two hundred pages, except when such a limit would require dividing writings or documents that constitute a single text, in which case their unity will be maintained.
152.2 All proceedings must be paginated and maintained throughout their processing. Files that are incorporated into other files do not continue their pagination; their aggregation and number of pages are recorded.

Article 153°.- Intangibility of the file

153.1 The content of the file is intangible, and amendments, alterations, interlineation, or additions may not be made to the documents once they have been signed by the competent authority. If necessary, the modifications made must be expressly and detailed.

153.2 Breakdowns may be requested verbally and are granted on record by the instructor and the applicant, indicating the date and folios, leaving a certified copy in the corresponding place, with the respective pagination.
153.3 Entities may use microform technology and computer media for the filing and processing of files, ensuring the security, inalterability, and integrity of their content, in accordance with the regulations on the matter.

153.4 If a file is lost, the administration has the obligation, under its responsibility, to reconstruct it, independently of the request of the interested party. For this purpose, the rules contained in Article 104 of the Civil Procedure Code shall apply, as applicable.

Article 154°.- Use of forms

154.1 Entities provide for the use of freely reproducible and freely distributed forms. These forms are used by administrators, or by a server at their request, by completing data or selecting proposed options, to provide the usual information deemed sufficient, without the need for another presentation document. This form is particularly used when administrators must provide information to comply with legal requirements and in automatic approval procedures.

154.2 They are also used when the authorities must resolve a large number of homogeneous cases, as well as for recurring actions and resolutions, which are previously authorized.

Article 155°.- Models of recurring writings

155.1 For information purposes, entities make available to administrators models of the most frequently used employment documents in their services.
155.2 In no case is adherence to these models considered mandatory, nor is their

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use may cause adverse consequences for those who use them.

Article 156°.- Preparation of minutes The
statements of the administrators, witnesses, experts and inspections will be documented in a minute, the preparation of which will follow the following rules:

1. The minutes shall indicate the place, date, names of the participants, purpose of the action, and other relevant circumstances, and must be drawn up, read, and signed immediately after the action by the declarants, the administrative authority, and by the participants who wish to record their statement.
2. When statements or actions are recorded, by consensus between the authority and the administered, the minutes may be completed within five days of the act, or if applicable, before the final decision.

Article 157°.- Document security measures Entities
shall apply the following document security measures:

1. Establish a unique identification system for all documents and writings entered into it, including progressive numbering and the date, and will also maintain a constant numbering for each file, which will be maintained throughout all subsequent actions, regardless of the bodies or authorities of the organization involved.

2. Keep records of notification, publication, or delivery of information about the acts, acknowledgment of receipt, and all documents necessary to prove the execution of the proceedings, with the instructor's certification of their due compliance.

3. The cover page must include the body and name of the authority, the person responsible for the procedure, and the final date for processing the file.

4. In no case will a double or false record be made.

Article 158°.- Complaint for processing defects.

158.1 At any time, the administrators may file a complaint against procedural defects and, in particular, those that involve paralysis, violation of legally established deadlines, failure to comply with functional duties or omission of procedures that must be corrected before the final resolution of the matter in the respective instance.

158.2 The complaint is submitted to the hierarchical superior of the authority handling the procedure, citing the duty violated and the regulation requiring it. The superior authority resolves the complaint within three days, after notifying the complainant so that he or she may submit any report he or she deems appropriate the day after the request.
158.3 In no case will the processing of the procedure in which a complaint has been filed be suspended, and the resolution will not be subject to appeal.
158.4 The authority hearing the complaint may, with reasons, order that another official of similar rank to the complainant assume the responsibility of hearing the matter.
158.5 If the complaint is declared well-founded, the relevant corrective measures will be issued regarding the procedure, and the same resolution will order the initiation of the necessary actions to sanction the responsible party.

CHAPTER VI

Instruction of the Procedure

Article 159°.- Acts of instruction

159.1 The investigative acts necessary for the determination, knowledge and verification of the data by virtue of which the resolution must be issued, will be carried out ex officio by the authority in charge of the procedure.

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prior evaluation, without prejudice to the right of the administered parties to propose evidentiary actions.
159.2 It is prohibited to carry out routine requests for prior reports, visa requirements or any other act that does not provide objective value to the actions taken in the specific case, according to its nature, as investigative acts.

Article 160°.- Access to file information

160.1 Data subjects, their representatives, or their attorneys have the right to access the file at any time during the process, as well as to its documents, background information, studies, reports, and opinions, obtain certifications of its status, and request copies of the information it contains, upon payment of the cost thereof. The only exceptions are those actions, proceedings, reports, or opinions that contain information the knowledge of which may affect their right to personal or family privacy, and those expressly excluded by law or for reasons of national security, in accordance with the provisions of section 5 of Article 20 of the Political Constitution.
Additionally, exceptions are made to matters protected by banking, tax, commercial, and industrial secrecy, as well as all documents that require a prior ruling by the competent authority.
160.2 The request for access may be made verbally and is granted immediately, without the need for an express resolution, in the office where the file is located, even if it is not the document reception unit.

Article 161°.- Allegations

161.1 At any time during the procedure, the administered parties may make allegations, provide documents or other evidence, which will be analyzed by the authority when making a decision.
161.2 In administrative sanctioning procedures, or in the case of acts that burden the administrator, a resolution is issued only after granting the administrator a peremptory period of no less than five days to present his or her arguments or the corresponding evidence in his or her defense.

Article 162°.- Burden of proof

162.1 The burden of proof is governed by the principle of ex officio initiation established in this Law.
162.2 It is the responsibility of the administrators to provide evidence by submitting documents and reports, proposing expert reports, testimonies, inspections and other permitted procedures, or to present allegations.

Article 163°.- Evidentiary performance

163.1 When the administration does not consider the facts alleged by the administered parties to be true, or the nature of the proceedings so requires, the entity shall order the gathering of evidence, following the criterion of procedural concentration, setting a period for this purpose of no less than three days and no more than fifteen, counted from the date of its presentation. It may only reject, with reasons, the means of evidence proposed by the administered party when they are unrelated to the substance of the matter, inappropriate, or unnecessary.
163.2 The administrative authority shall notify the administrators, no less than three days in advance, of the performance of the test, indicating the place, date and time.
163.3 Subsequent evidence may be presented provided that a final resolution has not been issued.

Article 164°.- Omission of evidentiary proceedings
Entities may dispense with the presentation of evidence when they decide exclusively on the basis of the facts presented by the parties, if they consider them to be certain and consistent for their resolution.

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Article 165° - Facts not subject to evidentiary action Evidence will not be
acted on with respect to public or notorious facts, with respect to facts alleged by the parties whose evidence is contained in the files of the entity, which have been verified in the exercise of their functions, or subject to the presumption of veracity, without prejudice to their subsequent inspection.

Article 166 - Evidence. The facts invoked
or relevant to deciding a procedure may be subject to all necessary evidence, except those expressly prohibited. In particular, in administrative proceedings, the following are applicable:

1. Gather background information and documents.
2. Request reports and opinions of any kind.
3. Grant a hearing to the administrators, question witnesses and experts, or obtain written statements from them.
4. Consult documents and minutes.
5. Perform ocular inspections.

Article 167°.- Request for documents from other authorities

167.1 The administrative authority responsible for processing the matter shall obtain from the directly competent authorities any pre-existing documents or background information it deems appropriate for the resolution of the matter, without suspending the processing of the file.

167.2 When the request is made by the administrator to the instructor, he must indicate the entity where the documentation is located and, if it is from an administrative file held by another entity, he must undoubtedly prove its existence.

Article 168°.- Presentation of documents between authorities

168.1 The documents and background information referred to in the previous article must be sent directly by the person requested within a maximum period of three days, if requested within the same entity, and five days in other cases.
168.2 If the requested authority considers a longer period necessary, it shall immediately inform the applicant, indicating the period it deems necessary, which may not exceed ten days.

Article 169° - Request for evidence from the administered parties

169.1 The authority may require data subjects to provide information, present documents or assets, submit to inspections of their assets, and cooperate in the collection of other means of evidence. To this end, the request is sent stating the date, deadline, form, and conditions for compliance.

169.2 Rejection of the requirement provided for in the preceding paragraph shall be legitimate when compliance entails a violation of professional secrecy, a disclosure prohibited by law, directly involves the disclosure of punishable acts committed by the individual, or violates constitutional rights. In no case does this exception cover the falsification of facts or reality.

169.3 The acceptance of this exception will be freely assessed by the authority according to the circumstances of the case, without this exempting the administrative body from searching for the facts or issuing the corresponding resolution.

Article 170° - Supplementary regulations

In matters not provided for in this section, documentary evidence shall be governed by Articles

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40° and 41° of this Law.

Article 171°.- Presumption of the quality of the reports

171.1 Administrative reports may be mandatory or optional and binding or non-binding.

171.2 Opinions and reports shall be presumed to be optional and non-binding, with the exceptions provided by law.

Article 172°.- Request for reports

172.1 Entities may only request reports that are required by law or those they deem absolutely essential to clarify the matter at hand. The request must clearly and precisely state the issues on which they deem it necessary to provide a ruling.

172.2 The request for legal reports or opinions is reserved exclusively for matters in which the legal basis of the claim is reasonably debatable, or the facts are legally controversial, and such situation cannot be clarified by the instructor himself.

172.3 The informant, within two days of receipt, may return without a report any file in which the request does not comply with the preceding paragraphs, or when it is deemed that only confirmation of other reports or decisions already adopted is required.

Article 173°.- Presentation of reports

173.1 Every authority, when formulating reports or draft resolutions, succinctly bases its opinion and establishes express and clear conclusions on all the issues raised in the request, and specifically recommends the courses of action to be followed, when these are appropriate, signing them with its usual signature, stating its name, surname and position.

173.2 The report or opinion does not incorporate into its text the extract of the previous actions nor reiterate data that is in the file, but will refer on its folio any background that allows illustrating for a better resolution.

Article 174°.- Failure to report

174.1 If the report is not received within the specified period, the authority may alternatively, depending on the circumstances of the case and the administrative relationship with the informant: dispense with the report or summon the informant to present his opinion verbally on a single date and in a session, which the administrator may attend, a record of which will be drawn up and attached to the file, without prejudice to the liability incurred by the official guilty of the delay.

174.2 The Law may expressly establish in procedures initiated by the governed that if binding reports are not received within the legal period, it shall be understood that there is no technical or legal objection to the approach submitted for their opinion.

174.3 The report submitted late may be considered in the corresponding resolution.

Article 175°.- Witnesses

175.1 The proponent of witness evidence bears the burden of ensuring that witnesses appear at the appointed place, date, and time. If the witness fails to appear without just cause, his or her testimony will be disregarded.
175.2 The administration may freely question witnesses and, in the event of contradictory statements, may arrange for confrontations, even with the administered parties.

Article 176°.- Expertise

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176.1 The administered parties may propose the appointment of experts at their own expense, and must indicate at the same time the technical aspects on which they must pronounce.
176.2 The administration shall refrain from hiring experts on its own behalf, and shall request technical reports of any kind from its staff or from technical entities suitable for this purpose, preferably among the faculties of public universities.

Article 177° - Evidentiary performance of public authorities

The authorities of entities do not give confessions, except in internal procedures of the administration; without prejudice to being able to provide evidence as witnesses, informants or experts, if necessary.
case.

Article 178.- Costs of evidentiary proceedings. In the event that the evidentiary proceedings proposed by the individual concerned entail expenses that the entity should not reasonably bear, the entity may require the advance deposit of such costs, to be charged to the final settlement that the instructor will make to the individual concerned, once the evidence has been presented.

Article 179° - Evidentiary actions that affect third parties

Third parties have a duty to cooperate in proving the facts while respecting their constitutional rights.

Article 180° - Draft resolution

When the investigating authority is different from the authority competent to resolve the case, the investigating authority shall prepare a final report containing the most relevant aspects of the act that initiated it, as well as a summary of the content of the investigation, an analysis of the evidence presented, and shall formulate a draft resolution accordingly.

CHAPTER VII

Participation of the administered

Article 181°.- Open administration

In addition to the means of access to participation in public affairs established by other regulations, in the instruction of administrative procedures, entities are governed by the provisions of this Chapter regarding the hearing of citizens and the period of public information.

Article 182° - Public hearing

182.1 Administrative regulations provide for the convening of a public hearing as an essential formality for the effective participation of third parties when the act to which the administrative procedure leads is likely to affect rights or interests held by unspecified persons, such as in environmental matters, public savings, cultural or historical values, consumer rights, urban planning, and zoning; or when the ruling on authorizations, licenses, or permits that the act enables directly affects public services.

182.2 In the public hearing, any third party, without needing to prove special legitimacy, is authorized to present verified information, to request the analysis of new evidence, as well as to express his opinion on the issues that constitute the object of the procedure or on the evidence.

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acted upon. It is not appropriate to formulate questions to the authority at the hearing.
182.3 Failure to hold a public hearing will result in the invalidity of the final administrative act issued.
182.4 The expiration of the period provided for in Article 142 of this Law, without the public hearing having been held, determines the operation of the negative administrative silence, without prejudice to the responsibility of the authorities obliged to convene it.

Article 183°.- Call for public hearing

The call for a public hearing must be published in the Official Gazette or in one of the media with the greatest local circulation, depending on the nature of the matter, no less than three (3) days before it is held, and must indicate: the convening authority, its purpose, the day, place and time of the hearing, the deadlines for registration of participants, the address and telephone number of the convening entity, where registration can be made, where more information on the matter can be accessed, or where allegations, challenges and opinions can be presented.

Article 184°.- Development and effects of the public hearing

184.1 Appearance at the hearing does not, in itself, grant the status of participant in the procedure.
184.2 Failure to attend the hearing does not prevent those entitled to participate in the proceedings as interested parties from submitting arguments or appeals against the resolution.

184.3 The information and opinions expressed during the public hearing are recorded without generating debate, and are of an advisory nature and not binding on the entity.

184.4 The investigating authority must explain, in the grounds for its decision, how it has taken into account the opinions of citizens and, where appropriate, the reasons for its rejection.

Article 185°.- Period of public information

185.1 When the authority is responsible for a decision on any aspect of general interest other than those provided for in the previous article, where it is objectively appreciated that the participation of undetermined third parties may contribute to the verification of any status, information or any legal requirement not evidenced in the file by the authority, the instructor opens a period of no less than three and no more than five business days to receive - by the broadest possible means - their statements on the matter, before resolving the procedure.

185.2 The period of public information must be convened particularly before approving administrative regulations that affect citizens' rights and interests, or to decide on the granting of licenses or authorizations to carry out activities of general interest, and to appoint officials to key positions in entities, or even in the case of any position when impeccable conduct or any similar circumstance is expressly required.

185.3 The convening, conduct, and consequences of the public information period shall be governed by the public hearing rules, where applicable, in all matters not covered in this Chapter.

CHAPTER VIII

End of the Procedure
Article 186°.- End of the Procedure

186.1 The procedure will be terminated by resolutions that rule on the merits of the matter, positive administrative silence, administrative silence

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negative in the case referred to in section 4) of Article 188°, the withdrawal, the declaration of abandonment, the agreements adopted as a result of conciliation or extrajudicial transaction that have the objective of ending the procedure and the effective provision of what is requested in accordance with the administered in case of a gratuity request.

186.2 The procedure shall also be terminated by a resolution that so declares due to supervening causes that determine the impossibility of continuing it.

Article 187°.- Content of the resolution

187.1 The resolution that ends the procedure shall comply with the requirements of the administrative act indicated in Chapter One of Title One of this Law.

187.2. In proceedings initiated at the request of the interested party, the resolution shall be consistent with the requests made by the interested party, without in any case aggravating the initial situation and without prejudice to the authority of the administration to initiate a new procedure ex officio, if appropriate.

Article 188°.- Effects of administrative silence

188.1 Administrative procedures subject to positive administrative silence will be automatically approved in the terms in which they were requested if, after the established or maximum period has elapsed, the entity has not communicated the ruling to the administrator.

188.2 Administrative silence has, for all purposes, the character of a resolution that ends the procedure, without prejudice to the power of official nullity provided for in Article 202 of this Law.

188.3 The negative administrative silence has the effect of enabling the citizen to file the relevant administrative appeals and legal actions.
188.4 Even when negative administrative silence applies, the administration maintains the obligation to resolve, under its own responsibility, until it is notified that the matter has been submitted to the attention of a jurisdictional authority or the administrator has made use of administrative resources.

188.5 Negative administrative silence does not initiate the calculation of deadlines or terms for its challenge.

Article 189°.- Withdrawal from the procedure or claim.

189.1 Withdrawal from the procedure will mean its completion, but will not prevent the same claim from being raised again in another procedure.

189.2 The withdrawal of the claim will prevent the initiation of another procedure for the same purpose and cause.
189.3 Withdrawal will only affect those who have formulated it.
189.4 Withdrawal may be made by any means that allows for its recording, specifying its content and scope. It must be expressly stated whether it is a withdrawal of the claim or the procedure. If not specified, it is considered a withdrawal of the procedure.

189.5 Withdrawal may be made at any time before the final decision in the instance is notified.

189.6 The authority shall accept the withdrawal outright and declare the procedure concluded, unless interested third parties, having appeared in the same, request its continuation within ten days from the date they were notified of the withdrawal.

189.7 The authority may continue the procedure ex officio if, based on an analysis of the facts, it considers that the interests of third parties could be affected or that the action prompted by the initiation of the procedure would be detrimental to the general interest. In this case, the authority may limit the effects of the withdrawal to the interested party and continue the procedure.

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Article 190°.- Withdrawal of administrative acts and appeals

190.1 The withdrawal of any act carried out in the procedure may be carried out before it has produced effects.
190.2 An administrative appeal may be withdrawn before the final decision is notified in the instance, determining that the challenged decision becomes final, unless other administrators have joined the appeal, in which case it will only have effect for the person who filed it.

Article 191°.- Abandonment of procedures initiated at the request of the administered party.

In proceedings initiated at the request of a party, when the administrator fails to comply with a procedure that has been required, resulting in its suspension for thirty days, the authority, ex officio or at the request of the administrator, shall declare the procedure abandoned. This decision must be notified, and the relevant administrative appeals may be filed against it.

CHAPTER IX

Execution of resolutions

Article 192°.- Enforceability of the administrative act

Administrative acts shall be enforceable unless expressly provided otherwise by law, court order, or subject to a condition or time limit in accordance with the law.

Article 193°.- Loss of enforceability of the administrative act

193.1 Unless otherwise expressly provided, administrative acts lose effectiveness and enforceability in the following cases:

193.1.1 By provisional suspension in accordance with law.
193.1.2 When five years have passed since the administration acquired firmness and has not initiated the acts that it is responsible for executing.
193.1.3. When the resolutive condition to which they were subject according to law is met.
193.2 When the administrator objects to the start of execution of the administrative act the loss of its enforceability, the matter is resolved in an irrevocable manner in the administrative headquarters by the immediately superior authority, if one exists, after a legal report on the matter.

Article 194°.- Forced execution

To enforce administrative acts through its own competent bodies or the Peruvian National Police, the authority must meet the following requirements:

1. That it is an obligation to give, do or not do, established in favor of the entity.

2. That the service be determined in writing in a clear and complete manner.
3. That such obligation arises from the exercise of an authority of the entity or arises from a public law relationship maintained with the entity.
4. That the administered party has been required to spontaneously comply with the service, under penalty of initiating the specifically applicable coercive measure.

5. That it is not an administrative act for which the Constitution or the law requires the intervention of the Judiciary for its execution.

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Article 195°.- Notification of the act of commencement of execution.

195.1 The decision authorizing administrative execution shall be notified to its recipient before it begins.

195.2 The authority may notify the start of execution after notification of the executed act, provided that the administrator is enabled to spontaneously fulfill the service for which he is responsible.

Article 196°.- Means of forced execution.

196.1 Enforcement by the entity shall always be carried out in compliance with the principle of reasonableness, by the following means.

a) Coercive enforcement.
b) Subsidiary enforcement. c)
Coercive fine. d)
Compulsion on persons.

196.2 If there are several applicable means of execution, the one that least restricts individual freedom will be chosen.

196.3 If it is necessary to enter the home or property of the affected party, the provisions of section 9) of Article 20 of the Political Constitution of Peru must be followed.

Article 197°.- Coercive execution

If the entity must seek the execution of an obligation to give, do or not do, the procedure provided for in the relevant laws will be followed.

Article 198°.- Subsidiary execution

Subsidiary execution will be possible when it involves acts that, because they are not personal, can be carried out by a subject other than the obligated party:

1. In this case, the entity will carry out the act, either itself or through the persons it determines, at the expense of the obligated party.
2. The amount of expenses, damages and losses shall be claimed in accordance with the provisions of the previous article.
3. This amount may be settled provisionally and made before execution, or reserved for final settlement.

Article 199°.- Coercive fine.

199.1 When authorized by law, and in the manner and amount determined, the entity may impose coercive fines for the execution of certain acts, repeated for periods sufficient to comply with the order, in the following cases:

a) Highly personal acts in which compulsion is not applicable to the person obliged. b) Acts in which, even if
compulsion is applicable, the administration does not deem it appropriate. c) Acts whose execution the obliged party
may entrust to another person.

199.2 The coercive fine is independent of any sanctions that may be imposed in such a manner and is compatible with them.

Article 200°.- Compulsion on persons

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Administrative acts that impose a highly personal obligation not to do or endure may be executed by compulsion on persons in cases where the law expressly authorizes it, and always within the respect due to their dignity and the rights recognized in the Political Constitution.

If the acts were performed personally and were not executed, they will give rise to payment for any damages incurred, which must be judicially regulated.

TITLE III

From the Review of Acts in Administrative Procedure.

CHAPTER I

Official Review

Article 201°.- Rectification of errors

201.1 Material or arithmetic errors in administrative acts may be rectified with retroactive effect at any time, ex officio or at the request of the administered parties, provided that the substance of their content or the meaning of the decision are not altered.

201.2 The rectification adopts the forms and methods of communication or publication that correspond to the original act.

Article 202°.- Nullity of Office

202.1 In any of the cases listed in Article 10, administrative acts may be declared null and void ex officio, even if they have become final, provided that they harm the public interest.

202.2 Ex officio nullity may only be declared by the official higher in rank than the one who issued the act to be invalidated. If the act is issued by an authority not subject to hierarchical subordination, the nullity shall also be declared by a resolution of the same official.

202.3 The power to declare the nullity of administrative acts ex officio expires one year after the date on which they were approved.

202.4 In the event that the period provided for in the previous section has expired, it is only possible to file a claim for nullity before the Judicial Branch via the administrative contentious process, provided that the claim is filed within two (2) years following the date on which the power to declare nullity in the administrative headquarters expired.

202.5 Administrative acts issued by councils or courts governed by special laws competent to resolve disputes in the final administrative instance cannot be declared null and void ex officio. Their nullity may only be requested before the Judiciary, via the contentious-administrative process, provided that the request is filed within three years of the date on which the act became final.

Article 203°.- Revocation.

203.1 Administrative acts declaring or constituting rights or legitimate interests cannot be revoked, modified or replaced ex officio for reasons of opportunity, merit or convenience.

203.2 Exceptionally, administrative acts may be revoked, with future effect, in any of the following cases:

203.2.1 When the revocation power has been expressly established by a legal regulation and provided that the requirements set forth in said regulation are met.

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203.2.2 When the conditions legally required for the issuance of the administrative act whose permanence is indispensable for the existence of the legal relationship created disappear.

203.2.3 When, based on subsequent evidence, the recipients of the act are legally favored and provided that no harm is caused to third parties.

203.3 The revocation provided for in this section may only be declared by the highest authority of the competent entity, after giving the potential affected parties the opportunity to present their allegations and evidence in their favor.

Article 204°.- Non-reviewability of judicially confirmed acts

Under no circumstances will acts that have been confirmed by a final court ruling be subject to administrative review.

Article 205°.- Compensation for revocation

205.1 When the revocation causes economic harm to the administrator, the resolution that decides it must consider what is convenient to carry out the corresponding compensation in the administrative headquarters.
205.2 Acts that are subject to grounds for ex officio revocation or nullity, but whose effects have expired or been exhausted, shall be subject to compensation in court, ordered when their revocation or annulment becomes administratively final.

CHAPTER II

Administrative Resources

Article 206°.- Faculty of contradiction

206.1 Pursuant to Article 108, in the event of an administrative act that is alleged to violate, ignore or injure a legitimate right or interest, it may be challenged through administrative channels using the administrative remedies indicated in the following article.

206.2 Only final acts that terminate the proceedings and procedural acts that determine the impossibility of continuing the procedure or result in a lack of defense may be challenged. Any contradiction to the remaining procedural acts must be raised by the interested parties for consideration in the act that terminates the procedure and may be challenged with the administrative appeal that, where appropriate, is filed against the final act.

206.3 There is no room for challenge to acts that are a reproduction of previous acts that have become final, nor to acts confirming consented acts because they have not been appealed in a timely manner.

Article 207°.- Administrative resources

207.1 Administrative resources are:

a) Reconsideration appeals. b) Appeals.
c) Review appeals.

207.2 The term for filing appeals is fifteen (15) peremptory days, and they must be resolved within thirty (30) days.

Article 208°.- Appeal for reconsideration

The appeal for reconsideration will be filed before the same body that issued the

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The first act that is the subject of the challenge must be supported by new evidence. In the case of administrative acts issued by bodies that constitute the sole instance, no new evidence is required. This appeal is optional, and its failure to file it does not prevent the right to appeal.

Article 209°.- Appeal

An appeal may be filed when the challenge is based on a different interpretation of the evidence produced or when it involves purely legal issues. The appeal must be addressed to the same authority that issued the challenged act so that the matter may be referred to a superior authority.

Article 210°.- Appeal for review

Exceptionally, an appeal for review may be filed before a third instance of national jurisdiction if the two previous instances were resolved by authorities that are not of national jurisdiction. The appeal must be addressed to the same authority that issued the contested act so that it may forward the proceedings to its superior authority.

Article 211°.- Requirements of the resource

The appeal must specify the act being appealed and meet the other requirements set forth in Article 113 of this Law. It must be authorized by a lawyer.

Article 212°.- Final Act

Once the deadlines for filing administrative appeals have expired, the right to do so will be lost, and the decision will become final.

Article 213°.- Error in qualification

An error in the classification of the appeal by the appellant will not be an obstacle to its processing provided that its true nature can be deduced from the document.

Article 214°.- Scope of resources

Administrative appeals may be exercised only once in each administrative procedure and never simultaneously.

Article 215°.- Administrative silence in matters of resources

Administrative silence in the matter of resources shall be governed by the provisions of numeral 34.1.2 of Article 34° and subsection 2) of Article 33° of this Law.

Article 216°.- Suspension of execution

216.1 The filing of any appeal, except in cases where a legal provision establishes otherwise, shall not suspend the execution of the contested act.
216.2 Notwithstanding the provisions of the preceding paragraph, the authority responsible for resolving the appeal may suspend, ex officio or at the request of a party, the execution of the appealed act when any of the following circumstances occur:

a) That the execution could cause damage that is impossible or difficult to repair. b) That the existence of a significant defect of nullity is objectively assessed.

216.3 The decision to suspend will be adopted after a sufficiently reasoned assessment of the harm that would be caused to the public interest or to the

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third parties the suspension and the harm caused to the appellant by the immediate effectiveness of the contested act.

216.4 When a suspension is ordered, any measures necessary to ensure the protection of the public interest or the rights of third parties and the effectiveness of the contested resolution may be adopted.

216.5 The suspension shall be maintained during the processing of the administrative appeal or the corresponding contentious-administrative process, unless the administrative or judicial authority decides otherwise if the conditions under which it was decided are modified.

Article 217°.- Resolution

217.1 The resolution of the appeal shall uphold in whole or in part or dismiss the claims made therein or declare its inadmissibility.

217.2 Once a ground for nullity has been established, the authority, in addition to declaring nullity, shall rule on the merits of the case, if sufficient evidence exists. When it is not possible to rule on the merits of the case, the procedure shall be reintroduced to the time when the defect occurred.

Article 218° - Exhaustion of the administrative route

218.1 Administrative acts that exhaust the administrative route may be challenged before the Judiciary through the contentious-administrative process referred to in Article 148 of the Political Constitution of the State.

218.2 The following are acts that exhaust the administrative route:

(a) An act that is not legally subject to appeal before a hierarchically superior authority or body through administrative channels, or when there is negative administrative silence, unless the interested party chooses to file an appeal for reconsideration, in which case the resolution issued or the administrative silence produced by reason of said appeal exhausts the administrative channel; (b) An act issued or the administrative silence produced by reason of the filing of an appeal in those cases in which the act of an authority or body subject to hierarchical subordination is challenged; or (c) An act issued or the administrative silence produced by reason of the filing of an appeal for review, solely in the cases referred to in Article 210 of this Law; or (d) An act that ex officio declares the nullity or revokes other administrative acts in the cases referred to in Articles 202 and 203 of this Law; oe) Administrative acts of the Courts or Administrative Councils governed by special laws.

TITLE IV

Of the special procedures

CHAPTER I

Trilateral procedure

Article 219°.- Trilateral procedure

219.1 The trilateral procedure is the contentious administrative procedure followed between two or more citizens before the administration entities and for those described in section 8) of Article I of the Preliminary Title of this Law.

219.2 The party initiating the proceedings by filing a claim shall be designated as the "claimant" and any party served shall be designated as the "complainant".

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as "claimed".

Article 220°.- Legal Framework

The trilateral procedure shall be governed by the provisions of this Chapter and, for all other matters, by the provisions of this Law. With respect to trilateral administrative procedures governed by special laws, this chapter shall be of a supplementary nature only.

Article 221°.- Initiation of the procedure.

221.1 The trilateral procedure is initiated by filing a claim or ex officio.

221.2 During the development of the trilateral procedure, the administration must favor and facilitate the conciliatory solution of the controversy.
221.3 Once the claim has been admitted for processing, the respondent will be notified so that he or she may present his or her defense.

Article 222°.- Content of the claim

222.1 The claim must contain the written requirements provided for in Article 113 of this Law, as well as the name and address of each respondent, the reasons for the claim, and the request for sanctions or other affirmative action.

222.2 The claim must offer evidence and attach the evidence available as attachments.

222.3 The authority may request clarification of the claim before admitting it, when there are doubts in the presentation of the facts or grounds of the respective rights.

Article 223°.- Response to the claim

223.1 The respondent must submit the response to the *claim within fifteen (15) days after notification thereof;* after this period has expired, the Administration will declare the respondent who has not submitted it in default.
The response must contain the requirements for written documents provided for in Article 113 of this Law, as well as a resolution of all disputed issues of fact and law. The allegations and relevant facts of the claim, unless specifically denied in the response, shall be deemed accepted or substantiated as true.

223.2 The issues are proposed jointly and only when answering the claim or reply and are resolved with the final resolution.
223.3 In the event that the respondent fails to submit the response within the established period, the administration may allow, if it deems it appropriate and reasonable, the delivery of the response after the expiration of the period.

223.4 In addition to the response, the respondent may file a reply alleging violations of the respective legislation, within the jurisdiction of the corresponding agency of the entity. The filing of replies and responses to those replies is governed by the rules for filing and responding to claims, excluding matters relating to administrative processing fees.

Article 224°.- Prohibition of responding to answers

Replies to responses to complaints are not permitted. New issues included in the respondent's response will be considered controversial.

Article 225°.- Evidence

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Without prejudice to the provisions of Articles 162 to 180 of this Law, the administration may only waive the performance of the evidence offered by either party by unanimous agreement of the latter.

Article 226°.- Precautionary measures

226.1 At any stage of the trilateral procedure, interim measures may be ordered ex officio or at the request of a party in accordance with Article 146.
226.2 If the person required to comply with a precautionary measure ordered by the administration does not do so, the rules on compulsory execution provided for in Articles 192 to 200 of this Law shall apply.
226.3 An appeal may be filed against a ruling issuing a precautionary measure requested by either party within three (3) days from the date of notification of the ruling issuing the measure. Unless otherwise provided by law or by a decision of the authority, an appeal does not suspend the execution of the precautionary measure.

The appeal must be submitted to the hierarchical superior within a maximum period of (1) day, counting from the date of the granting of the respective appeal and will be resolved within a period of five (5) days.

Article 227°.- Challenge

227.1 The final decision issued in a trilateral procedure by a subordinate authority or body may only be appealed. If there is no hierarchical superior, the only option is to file an appeal for reconsideration.

227.2 The appeal must be filed before the body that issued the appealed resolution within fifteen (15) days of the respective notification. The respective file must be submitted to the hierarchical superior within a maximum period of two (2) days from the date of the granting of the respective appeal.

227.3 Within fifteen (15) days of receiving the file by the hierarchical superior, it will be forwarded to the other party and will be given a period of fifteen (15) days to resolve the appeal.

227.4 With the acquittal of the other party or the expiration of the term referred to in the preceding article, the authority hearing the appeal may set a day and time for the hearing of the case, which may not be held within a period of more than ten (10) days from the date on which the acquittal of the appeal is notified to the person who filed it.

227.5 The administration must issue a resolution within thirty (30) days following the date of the hearing.

Article 228°.- Extrajudicial conciliation or transaction

228.1 In cases where the law so permits and before notification of the final resolution, the authority may approve agreements, pacts, conventions, or contracts between the parties that constitute an out-of-court settlement or conciliation, with the scope, requirements, effects, and specific legal framework provided for in each case by the provision regulating it. Such acts may terminate the administrative procedure and render ineffective any resolutions issued in the procedure. The agreement may be included in an administrative resolution.

228.2 The aforementioned instruments must be in writing and establish as minimum content the identification of the participating parties and the term of validity.

228.3 When approving the agreements referred to in section 228.1, the authority may continue the procedure ex officio if, from the analysis of the facts, it considers that

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the interests of third parties could be affected or the action arising from the initiation of the procedure could involve general interest.

CHAPTER II

Sanctioning Procedure

Article 229°.- Scope of application of this Chapter

229.1 The provisions of this Chapter govern the power granted to any of the entities to establish administrative infractions and the consequent sanctions for those administered.

229.2 In entities whose sanctioning authority is regulated by special laws, this Chapter shall apply as a supplement. The disciplinary sanctioning authority over the personnel of these entities is governed by the relevant regulations.

Subchapter I
Of the Sanctioning Power

Article 230°.- Principles of administrative sanctioning power

The sanctioning power of all entities is additionally governed by the following special principles:

1. Legality.- Only by means of a law can entities be granted the power to impose sanctions and the subsequent provision of administrative consequences that may be applied to an individual as a sanction, which in no case will authorize the deprivation of liberty.

2. Due process.- Entities will apply sanctions in accordance with the established procedure, respecting due process guarantees.

3. Reasonableness.- Authorities must ensure that committing the punishable conduct is not more advantageous for the offender than complying with the violated rules or accepting the penalty; and that the determination of the penalty considers criteria such as the existence or absence of intention, the harm caused, the circumstances of the commission of the violation, and the repetition of the violation.

4. Typicality.- Only those infractions expressly provided for in regulations with the force of law by their classification as such constitute administratively punishable conduct, without admitting broad interpretation or analogy. The implementing regulations may specify or grade those intended to identify the conduct or determine sanctions, without constituting new punishable conduct beyond those provided for by law, except in cases where the law allows for classification by regulation.

5. Non-retroactivity.- The sanctioning provisions in force at the time the administrator incurred the conduct to be sanctioned are applicable, unless subsequent provisions are more favorable.

6. Concurrence of Infractions.- When the same conduct qualifies as more than one infraction, the sanction provided for the most serious infraction shall be applied, without prejudice to the other liabilities established by law.

7. Continuation of Violations.- To impose sanctions for violations in which the administrator incurs continuously, it is required that at least thirty (30) days have passed since the date of the imposition of the last sanction and that it has been proven that the administrator has been requested to demonstrate that the violation has ceased within said period.

8. Causality.- Responsibility must fall on the person who carries out the omission or active conduct constituting a punishable offense.

9. Presumption of legality.- Entities must presume that those governed have acted in accordance with their duties until there is evidence to the contrary.

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10. Non bis in idem.- A penalty and an administrative sanction may not be imposed successively or simultaneously for the same act in cases where the identity of the subject, fact and basis is established.

Article 231°.- Stability of the competence for the sanctioning power

The exercise of sanctioning powers corresponds to the administrative authorities to whom they have been expressly assigned by legal or regulatory provision, and they may not assume them or delegate them to a different body.

Article 232°.- Determination of liability

232.1 The administrative sanctions imposed on the administered party are compatible with the requirement of restoring the situation altered by the same to its previous state, as well as with compensation for the damages and losses caused, which will be determined in the corresponding judicial process.

232.2 When compliance with the obligations provided for in a legal provision corresponds to several persons jointly, they shall be jointly liable for any violations committed, if any, and for any penalties imposed.

Article 233°.- Prescription

233.1 The authority's power to determine the existence of administrative violations expires within the period established by special laws, without prejudice to the time limits for the prescription of other liabilities that the violation may merit. If this is not determined, the statute of limitations shall expire in five years, computed from the date the violation was committed or from its cessation, if it is a continuing action.

233.2 The limitation period is only interrupted with the initiation of the sanctioning procedure, and the period is resumed if the file remains paralyzed for more than one month for reasons not attributable to the individual concerned.
233.3 The administrators raise the prescription by way of defense and the authority must resolve it without further procedure than the verification of the deadlines, and if it considers it justified, it must order the initiation of liability actions to elucidate the causes of the administrative inaction.

Subchapter II

Regulation of the Sanctioning Procedure

Article 234°.- Characteristics of the sanctioning procedure

To exercise the sanctioning power, it is mandatory to have followed the legally or regulatory established procedure characterized by:

1. Differentiate in its structure between the authority that leads the investigative phase and the one that decides the application of the sanction, when the organization of the entity allows it.

2. Consider that the facts declared proven by final court rulings bind the entities in their sanctioning procedures.
3. Notify the administrators of the facts that are imputed to them, the classification of the violations that such facts may constitute and the expression of the sanctions that, where applicable, could be imposed, as well as the competent authority to impose the sanction and the rule that attributes such authority.

4. Grant the citizen a period of five days to formulate his allegations and use the means of defense admitted by the legal system in accordance with numeral 162.2 of Article 162, without the failure to exercise this right being considered as evidence against his situation.

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Article 235°.- Sanctioning procedure

In exercising their sanctioning powers, entities shall adhere to the following provisions:

1. The sanctioning procedure is always initiated ex officio, either on its own initiative or as a result of a higher order, a reasoned request from other bodies or entities, or a complaint.

2. Prior to the formal initiation of the procedure, preliminary investigation, inquiries and inspections may be carried out in order to determine, on a preliminary basis, whether there are circumstances that justify its initiation.

3. Once the initiation of the sanctioning procedure has been decided, the authority in charge of the procedure issues the respective notification of charge to the potentially sanctioned party, which must contain the information referred to in section 3 of the preceding article so that they may present their defense in writing within a period that may not be less than five business days from the date of the notification.
4. Once this period has expired, and with or without the respective discharge, the authority in charge of the procedure will ex officio carry out all the necessary actions to examine the facts, gathering the data and information that are relevant to determine, where appropriate, the existence of liability that may be subject to sanction.

5. Once the evidence collection has been completed, if applicable, the investigating authority of the procedure will decide whether to impose a sanction or whether there is no violation. If the structure of the procedure contemplates the existence of separate investigating and resolving bodies, once the evidence collection has been completed, the investigating authority will formulate a proposed resolution in which it will determine, in a reasoned manner, the conduct considered proven to constitute a violation, the provision that provides for the imposition of a sanction for said conduct, and the proposed sanction; or it will propose a declaration of no violation. Upon receipt of the proposed resolution, the body competent to decide on the application of the sanction may order the implementation of complementary actions, provided they are essential to resolve the procedure.

6. The resolution applying the sanction or the decision to close the procedure will be notified to both the person concerned and the body or entity that made the request or to the person who reported the violation, if applicable.

Article 236°.- Provisional measures

236.1 The authority in charge of the procedure may order the adoption of provisional measures to ensure the effectiveness of the final resolution that may be issued, subject to the provisions of Article 145 of this Law.
236.2 The measures adopted must be adjusted to the intensity, proportionality and needs of the objectives that are intended to be guaranteed in each specific case.

236.3 The compliance or execution of provisional measures that may be adopted shall be offset, as far as possible, by the sanction imposed.

Article 237°.- Resolution

237.1 The resolution that ends the procedure may not accept facts other than those determined during the course of the procedure, regardless of their different legal assessment.

237.2 The resolution will be enforceable when it terminates the administrative process. The administration may adopt the necessary precautionary measures to ensure its effectiveness, as long as it is not enforceable.
237.3 When the sanctioned offender appeals or challenges the resolution adopted, the

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The resolution of the appeals filed may not determine the imposition of more serious sanctions for the sanctioned party.

TITLE V
On the responsibility of the public administration and its personnel

CHAPTER I

Responsibility of public administration

Article 238°.- General Provisions

238.1 Administrators shall have the right to be compensated by the entities for any damage suffered by any of their assets and rights, except in cases of force majeure, provided that the damage is a consequence of the operation of the administration.

238.2 The declaration of nullity of an administrative act in an administrative office or by judicial resolution does not necessarily presuppose the functioning of the administration.

238.3 The alleged damage must be effective, economically valuable and individualized in relation to an individual or group of individuals.
238.4 Only damage caused to the administrator resulting from damages that the administrator does not have a legal duty to bear in accordance with the law will be compensable.
238.5 The amount of compensation shall include statutory interest and shall be calculated with reference to the day on which the damage occurred.
238.6 When the entity compensates the beneficiaries, it may judicially recover from its authorities and other personnel the liability they may have incurred, taking into account the existence or absence of intentionality, the professional responsibility of the personnel involved, and their relationship to the production of the damage.
However, the entity may agree with the responsible party on reimbursement of the amount compensated, approving said agreement by resolution.

CHAPTER II

Responsibility of authorities and personnel Public administration service

Article 239°.- Administrative offenses

Authorities and staff in the service of entities, regardless of their employment or contractual status, commit an administrative offense in the processing of administrative procedures under their charge and, therefore, are liable to be administratively sanctioned with a warning, suspension, termination or dismissal depending on the seriousness of the offense, the recurrence, the damage caused and the intentionality with which they acted, in the case of:

1. Unjustifiably refusing to receive requests, appeals, statements, information, or issuing certificates regarding them.
2. Failure to deliver, within the legal term, the documents received to the authority that must decide or give an opinion on them.
3. Unjustifiably delaying the submission of data, documents or files requested to resolve a procedure or the production of a procedural act subject to a specific time limit within the administrative procedure.
4. Resolving any matter under their jurisdiction without justification.
5. Perform an act for which there is no authority.
6. Failure to communicate within the legal term the cause of abstention in which he/she is involved.

7. Delaying the fulfillment of superior or administrative mandates or contradicting their decisions.

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8. Intimidate in any way anyone who wishes to file an administrative complaint or contradict their decisions.

9. Incurring in manifest illegality.

10. Disseminate in any way or allow access to the confidential information referred to in section 160.1 of this Law.

The corresponding sanctions must be imposed after an administrative disciplinary process which, in the case of personnel subject to the administrative career system, will be governed by the legal provisions in force on the matter. In other cases, the procedure established in Article 235 of this Law must be applied, as appropriate.

Article 240°.- Criteria for the application of sanctions

Other violations committed by authorities and personnel in their service with respect to citizens not provided for in the previous article shall be sanctioned taking into account the harm caused to citizens, the violation of due process caused, as well as the nature and hierarchy of the functions performed, understanding that the higher the hierarchy of the authority and the more specialized its functions, in relation to the violations, the greater its duty to know and appreciate them properly.

Article 241°.- Restrictions on former authorities of the entities

241.1 No former authority of the entities may carry out any of the following actions with respect to the entity to which they belonged during the year following their cessation: 241.1.1 Represent or assist an administrator in any procedure in which they had some degree of participation during their activity in the entity.

241.1.2 Advise any administrator on any matter that was pending decision during their relationship with the entity.

241.1.3 Enter into any contract, directly or indirectly, with any administrator involved in a procedure resolved with his participation.

241.2 Violation of these restrictions will be subject to investigative proceedings and, if proven, the person responsible will be sanctioned with a five-year ban from entering any entity and will be registered in the respective Registry.

Article 242°.- Registry of Sanctions

The Presidency of the Council of Ministers or its designee shall organize and maintain a permanent National Registry of Dismissal and Termination Sanctions applied to any authority or personnel in the service of the entity, regardless of their employment or contractual status, with the aim of preventing their re-entry into any of the entities for a period of five years.

Article 243°.- Autonomy of responsibilities

243.1 The civil, administrative or criminal consequences of the responsibility of the authorities are independent and are required in accordance with the provisions of their respective legislation.

243.2 The procedures for enforcing criminal or civil liability do not affect the authority of the entities to instruct and decide on administrative liability, unless expressly provided for by the court in a contract.

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SUPPLEMENTARY PROVISIONS AND FINALS

FIRST.- References to this Law

References to the provisions of this Law shall be made by indicating the article number followed by the words "of the General Administrative Procedure Law."

SECOND.- Prohibition of reiterating regulatory content

Subsequent legal provisions may not reiterate the content of the rules of this Law, and must only refer to the respective article or limit themselves to regulating matters not provided for.

THIRD.- Integration of special procedures

This Law shall be supplementary to existing laws, regulations and other procedural rules insofar as they do not contradict or conflict with it, in which case the special provisions shall prevail.

FOURTH.- Validity of this Law

1. This Law shall enter into force six months after its publication in the Official Gazette El Peruano.

2. The lack of regulation of any of the provisions of this Law shall not impede its validity and enforceability.

FIFTH.- Generic repeal

This Law is of public order and repeals all legal or administrative provisions, of equal or lower rank, that oppose or contradict it, regulating administrative procedures of a general nature, those whose specialty is not justified by the subject matter they govern, as well as by absorption those provisions that have identical content to any provision of this Law.

SIXTH.- Express repeal

In particular, the following regulations are expressly repealed from the date this Law comes into force:

1. Supreme Decree No. 006-67-SC, Law No. 26111, the Consolidated Text of the Law on General Rules of Administrative Procedures, approved by Supreme Decree No. 002-94-JUS, and its amending, complementary, substitute, and regulatory provisions; 2. Law No. 25035, known as the Administrative Simplification Law, and its amending, complementary, substitute, and regulatory provisions; 3. Title IV of Legislative Decree No. 757, known as the Framework Law for the Growth of Private Investment, and its amending, complementary, substitute, and regulatory provisions; 4. Sixth Complementary and Transitory Provision of Law No. 26979, known as the Coercive Enforcement Procedure Law.

SEVENTH.- References to repealed provisions

The references contained in Article 26° BIS of Decree Law No. 25868, to the Administrative Simplification Law and the relevant part of the Legislative Decree No. 757 which are repealed by virtue of this rule, are understood

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replaced by this one for all legal purposes, without prejudice to the other powers of jurisdiction contained in said article.

TRANSITIONAL PROVISIONS

FIRST.- Transitional regulation

1. Administrative procedures initiated before the entry into force of this Law shall be governed by the previous regulations until their conclusion.
2. However, the provisions of this Law that recognize rights or powers of the citizens vis-à-vis the administration, as well as its Preliminary Title, are applicable to the procedures in progress.

3. Special procedures initiated during the adaptation period contemplated in the third transitional provision shall be governed by the provisions of the previous regulations applicable to them, until the corresponding modification is approved. In these cases, procedures initiated after its entry into force shall be regulated by the aforementioned adaptation regulations.

SECOND.- Deadline for the adaptation of special procedures

By regulation, within six months of the publication of this Law, the rules of the regulatory bodies for the various administrative procedures, regardless of their rank, will be adapted in order to achieve an integration of the supplementarily applicable general rules.

THIRD.- Deadline for approval of the TUPA

Entities must approve their TUPA in accordance with the provisions of this Law, within a maximum period of four months from the date of entry into force of the law.

FOURTH.- Notary system

For the purposes of the provisions of Article 127 of this Law, each entity may draw up internal regulations establishing the requirements, powers and other rules related to the performance of the duties of a notary.

FIFTH.- Dissemination of this Law

Entities, under the responsibility of their owners, must carry out dissemination, information, and training activities on the content and scope of this Law for their staff and the public. These activities may be carried out through the Internet, print media, talks, posters, or other means that ensure adequate dissemination. The cost of these information, dissemination, and training activities must not be passed on to the public or the user.

Entities, within a period of no more than 6 (six) months from the publication of this Law, must inform the Presidency of the Council of Ministers about the actions taken to comply with the provisions of the previous paragraph.

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Communicate to the President of the Republic for promulgation.

In Lima, on the twenty-first day of the month of March of two thousand and one.

Carlos Ferrero, Acting
President of the Congress of the Republic

HENRY PEASE GARCÍA
Second Vice President of the
Congress of the Republic.

TO THE CONSTITUTIONAL PRESIDENT OF THE REPUBLIC

THEREFORE:

I order it to be published and complied with.

Given at the Government House, in Lima, on the tenth day of the month of April of the year two thousand and one.

VALENTIN PANIAGUA CORAZAO
Constitutional President of the Republic

Javier Perez de Cuellar
President of the Council of Ministers

DIEGO GARCÍA-SAYAN LARRABURE Minister of
Justice.