LAW N ° 27444 LAW OF THE GENERAL ADMINISTRATIVE PROCEDURE

THE PRESIDENT OF THE REPUBLIC FOR AS

The Permanent Commission of the Congress of the Republic has given the following Law : THE PERMANENT COMMISSION OF THE CONGRESS OF THE REPUBLIC
He has given the following Law :

LAW OF THE GENERAL ADMINISTRATIVE

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PRELIMINARY TITLE

Article I .- Scope of Application of the Law

The present Law is to apply to all the entities of the Administration P ublic.
For the purposes of the present Law, it is understood by "entity" or "entities" of the Administration Public:

1. The power executive, including ministries and agencies Public D escentralizados
2. The power Legislative;
3. The power Judicial
4. The Regional Governments
5. The Governments Local
6. The Bodies to the that the Constitution Policy of the Peru and the laws confer au nomy.

7. The other entities and agencies projects and programs of the state, whose activities are performed in accordance with powers administrative and, for both are considered subject to the rules common to the right public, unless the mandate expressed in law that the refer to another system; Y
8. The persons legal under the regime private that provide services public or exercise functions administrative, in virtue of concession, delegation or authorization of the State, according to the rules of the matter.

Article II .- Content

1. The present Law regulates the actions of the function management of the State and the procedure administrative common developed in the entities.
2. The procedures special created and regulated as such by law expressed in response to the uniqueness of the subject, is governed supplementarily by the present law in those aspects not provided and in the which are treated specifically for so different.
3. The authorities administrative to the regulation of the procedures special, comply with follow the principles administrative, as well as the rights and duties of the subjects of the procedure established in the present Law.

Article III .- Purpose

The present law has for purpose to establish the regime legal applicable to that the performance of the Administration Public serve for the protection of the interest generally guaranteeing the rights and interests of the managed and with subject to the system constitutional and legal in general.

Article IV .- Principles of the administrative procedure

1. The procedure administrative is based primarily on the following principles, without prejudice to the effect of other principles general of the law Ad ministrativo:

1.1. Principle of legalidad.- The authorities administrative should act with respect to the Constitution, the law and to the right, inside of the powers that will be attributed and in accordance with the purposes for those which they were conferred.
1.2. Principles of the due procedure.- The administered enjoy of all the

rights and guarantees inherent to the deb gone procedure administrative, which includes the right to present their arguments, to offer and produce evidence and to obtain one decision motivated and founded in law. The institution of due administrative procedure is governed by the principles of Administrative Law . The regulation itself

of the Law Litigation Civil is applicable only in terms is consistent with the system administrator.
1.3. Principle of momentum of oficio.- The authorities must lead and drive of its own motion the procedure and ordering the conduct or practice of the acts that prove suitable for the clarification and resolution of the issues necessary. 1.4. Principle of the razonabilidad.- The decisions of the authority , administrative when create obligations qualify violations, impose sanctions, or set restrictions to the administered, must fit inside of the limits of the power allocated and maintaining the proper ratio between the means to employ and the end public that should protect, in order to to respond to what is strictly necessary for the satisfaction of his duties.
1.5. Principle of impartiality.- The administrative authorities act without any kind of discrimination between the administered ones, granting them equal treatment and guardianship before the procedure, resolving according to the legal system
and with attention to the general interest .
1.6. Principle of informalismo.- The rules of procedure must be interpreted in so favorably to the admission and decision end of the pretensions of the run, the way that their rights and interests will not be affected by the requirement of aspects formal that can be remedied inside of the procedure, provided that this excuse does not affect rights of third parties or the interested public.
1.7. Principle of presumption of truthfulness.- In the processing of the administrative procedure , it is presumed that the documents and declarations formulated by those administered in the manner prescribed by this Law respond to the truth of the facts that they affirm. This presumption admits evidence to the contrary.
1.8. Principle of conduct procedimental.- The authority administration, the administered, their representatives or lawyers and, in general all the participants of the procedure, perform their respective acts procidementales guided by the respect mutual, the cooperation and the good faith. No regulation of the procedure administrative can be interpreted in so as to protect him any behavior against the good faith procedural.
1.9. Principle of celeridad.- Those involved in the process must adjust their performance in such way that is dowry to the process of the maximum dynamics possible, avoiding actions process that hinder their development or constitute mere formality, in order to reach one decision in time reasonable, without that it relieved to the authorities of the respect for the due process or violate the ord enamiento.
1.10. Principle of eficacia.- The subject of the procedure administration should make prevail the fulfillment of the purpose of the act procedural, on those formalisms whose conduct does not impinge on its validity, not determine aspects important in the decision end, not diminish the guarantees of the procedure, nor cause defenselessness to the administered. In all the cases of application of this principle, the purpose of the act that is cutthroat on the formalities not essential must conform to the framework normative applicable and its validity is one guarantee of the intended public that is seeking to meet with the application of this principle.
1.11 Principle of truth material.- In the process the authority administrative jurisdiction shall verify fully the facts that serve the reason for their decision, for it which shall take all the measures probative necessary authorized by the law; even when they not have been proposed by the managed or have agreed to exempt themselves from them.

In the case of procedures Trilateral the authority administrative be empowered to verify by all the means available the truth of the facts that you are proposed by the parties, without that it means one replacement of the duty evidence that corresponds to them. However , the administrative authority will be

forced to exercise said power when its pronouncement could also involve the public interest .

1.12. Principle of participación.- The entities must provide the conditions necessary for all those administered for access to the information they manage, without expression of cause, except those that affect the privacy staff, the related to the security national or of which expressly be excluded by law; and extend the possibilities of participation of the managed and of their representatives in those decisions public that they can affect, by any system that allows the diffusion, the service of access to the information and the presentation of opinion.
1.13. Principle of simplicity.- The procedures established by the administrative authority must be simple, and all unnecessary complexity must be eliminated ; that is to say, the requisites demanded must be rational and proportional to the aims that are pursued .
1.14. Principle of uniformidad.- The authority management must establish requirements similar to procedures similar, ensuring that the exceptions to the principles general not be converted in the rule general. All differentiation must be based on duly supported objective criteria .
1.15 Principle of predictibilidad.- The authority administrative shall provide to the managed or their representatives information accurate, complete and reliable for each procedure, the way such that at the start, the run can have one consciousness quite accurate in what will be the result end that is will get.
1.16. Principle of privilege of controls posteriores.- The handling of the procedures administrative will sustain in the implementation of the control post, reserving the authority administrative, the right to check the veracity of the information submitted, the compliance of the regulations substantive and apply the sanctions relevant in case that the information submitted will not be truthful.

2. The principles outlined will also of criteria interpretive to resolve the issues that may arise in the application of the rules of procedure, as parameters for the generation of other provisions administrative in nature generally and to fill the gaps in the system adminis trative.

> The relationship of principles above statements do not have character tax ativo.

Article V .- Sources of administrative procedure

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

2.1. The constitutional provisions .
2.2. The treated and conventions international incorporated to the Ordenamiento National Legal
2.3. The laws and regulations of hierarchy equivalent.

2.4. The Decrees Supreme and other rules regulations of other powers of the It is tado.
2.5 The other regulations of the Branch Executive, the statutes and regulations of the entities as well as those of powerful institutional or coming from the systems adm inistrative.
2.6. The other rules subordinate to the previous regulations .
2.7. The law derived from the authorities jurisdiction to interpret provisions administrative.
2.8. The resolutions issued by the Administration to through in their courts or councils governed by laws special, establishing criteria of interpretation of

general scope and duly published. These decisions generate administrative precedent , exhaust the administrative route and can not be annulled at that headquarters. 2.9. The binding pronouncements of those entities expressly authorized to absolve consultations on the interpretation of administrative norms that apply in their work, duly disseminated.
2.10. The general principles of administrative law .

3. The sources mentioned in the paragraphs 2.7, 2.8, 2.9 and 2.10 are used to interpret and define the field of application of the system positive on which it re fieren.

Article VI .- Administrative Precedents

1. The acts administrative that to the resolve cases individuals interpret of way express and with character the sense of the law, shall constitute precedents administrative of compliance required by the entity, while this interpretation not be modified. Such acts will be published according to the rules established in the present standard.
2. The interpretative criteria established by the entities may be modified if it is considered that the previous interpretation is not correct or is contrary to the general interest . The new interpretation will not be able to apply to situations above, except that it be more favorably to the administered.
3. In all cases, the only modification of the criteria is not empowered to the review of job in office administration in the events firm.

Article VII .- Function of the provisions general.

1. The authorities superiors can direct or guide to character generally the activity of the subordinated to them through circulars, instructions and other analogues, those that not yet, not can create obligations new to the ad ministered.
2. These provisions must be sufficiently disseminated, placed in a visible place of the entity if its scope is merely institutional, or published if it is of an external nature .
3. The administered can invoke to her for these provisions, in terms established obligations to the bodies administrative in its

relationship with the ad ministered.

Article VIII .- Deficiency of sources

1. The authorities administrative not be left to resolve the issues that are they propose, by deficiency of their sources; in such cases they will come to the principles of the procedure administrative provided in this Act; in its absence, to other sources extra for the right administrative, and only secondarily to them, to the standards of other systems that are compatible with their nature and purpose.
2. When the deficiency of the rules it makes it advisable, in addition to the resolution of the case, the authority will develop and propose to whom competa, the issue of the standard that exceeds with character generally this situation, in the same sense of the resolution given to the matter submitted to his with ocimiento.

TITLE I
Of the regime legal of
the acts A
dministrativos

CHAPTER I
Of the administrative acts

Article 1 ° Concept of act administrative

1.1. They are acts administrative, the statements of the entities that, in the framework of rules of law public, are designed to produce effects legal on the interests, obligations or rights of the administered within the one
concrete situation
1.2. They are not administrative acts :
1.2.1. The acts of administration internal to the institutions intended to organize or to run their own activities or services. These acts are regulated by each entity, with subject to the provisions of the Title Draft of this Act and of those rules which expressly so it established.
1.2.2. The behaviors and material activities of the entities.

Article 2 - Modalities of the administrative act .

2.1. When one law so authorizes, the authority, by decision expresses may subject the act administration to condition, term or so, provided that these elements attachable to the act are compatible with the system legal, or when you try to secure with them the fulfillment of the so public that pursues the act.
2.2. An accessory modality can not be applied against the purpose pursued by the administrative act .

Article 3 - Requirements of validity of the acts

administrative are requirements for validity of the

acts administrative:

1. Competition.- be issued by the body empowered by reason of the matter, territory, degree weather or amount, on through to the authority regularly nominated at the time of the issued and in case of bodies collegiate, fulfilling the requirements of meeting, quorum and deliberation essential for its issuance.
2. Object or content.- The acts administrative must express its respective object in such a way that can be determined unambiguously their effects legal. Its content will conform to the provisions of the legal system, must be lawful, accurate, possible physically and legally, and understand the issues arising from the motivation.
3. Purpose PUBLIC Conform to the purposes of interest public assumed by the rules that give the powers to the organ issuer, without which can be enabled to pursue through the act, even covertly, any purpose is personnel of the own authority, on behalf of a third party, or other public purpose other than the
provided for in the law. The absence of norms that indicate the aims of a faculty 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. Procedure regular.- Prior to its broadcast, the act must be formed through the implementation of the procedure administrative provided for the g eneration.

Article 4 - Form of the acts administrative

4.1. The acts administrative shall be expressed by writing, except that by the

nature and circumstances of the case, the legal system has provided for another form, provided that it allows to have proof of its existence.
4.2. The written act indicates the date and place in which it is issued, name of the body from which emanates, name and signature of the intervening authority . 4.3. When the act administration is produced by means of systems
automated, the administrator must be guaranteed to know the name and position of the
authority that it issued.
4.4. When be issued several acts administration of the same nature, it may be employed firm mechanical or integrated in one single document under one same motivation, whenever that is individualized to the administered on the which rests the effects of the event. To all the effects subsequent the acts administrative be considered as acts different.

Article 5 - Object or content of the administrative act .

5.1. The object or content of the act administration is that it decides, states or Certify the authority.
5.2. In no case it will be admissible one object or content prohibited by the order policy, or incompatible with the status of fact provided in the rules, or vague, obscure or impossible to perform.
5.3. No may contravene in the case specific provisions constitutional, legal, mandates legal firm, nor may violate regulations administrative in nature generally from the authority of the same, lower or higher hierarchy, and even of the same authority that issued the act.
5.4. The content should understand all the issues of fact and law raised by the administered may involve other no proposals for them to have been appreciated by trade, always to give opportunity to present their position to the run and, in your case, provide the evidence to the favor.

Article 6 - Motivation of the administrative act

6.1 The motivation must be expressed by one relationship concrete and direct from the facts proven relevant in the case specific, and the exposure of the reasons legal and normative that with reference directly to the above warrant the act ad chosen.
6.2 can be motivated by the declaration of conformity with the principles and conclusions of previous opinions, decisions or reports obrantes in the record, a condition in which it will identify the so certain, and that by this situation constitute part integral of the respective act.
6.3 They are not admissible with motivation, the presentation of general or empty formulas of foundation for the specific case or those formulas that due to their darkness, vagueness, contradiction or insufficiency are not specifically enlightening for the motivation of the act.
6.4 No need motivation the following acts:

6.4.1 The decisions of mere formality that drive the process.
6.4.2 When the authority estimates from the order for the administered and the act administrative no harm rights of third parties.

6.4.3 When the authority produces a large number of substantially equal administrative acts , the sole motivation is sufficient .

Article 7 °. - Regime of the acts of administration internal.

7.1. The acts of internal administration are oriented to the effectiveness and efficiency of the services and to the permanent purposes of the entities. Are issued by the body competent, its object must be physically and legally possible, your motivation will be optional when the upper hierarchical taught the orders to his subordinates in the manner legally provided.
7.2. The decisions inside of mere formality, can be imparted orally by the

body responsible, in which case the body lower than the receive the document by writing and communicated to immediately, indicating the authority of who comes by the formula "By order of ..."

CHAPTER II
Invalidation of the acts administrative

Article 8 °. - Validity of the administrative act

The administrative act issued according to the legal system is

valid . Article 9 - Presumption of validity.

All act administrative is considered valid in both its alleged nullity not be declared by authority administrative or judicial review , as applicable.

Article 10 °. - Causes for annulment

They are vices of the act administrative, which cause nullity of full right, the sig uientes:

1. The contravention to the Constitution, to the law or to the rules regulations.
2. The defect or the omission of one of its requirements of validity, except that is present any of the cases of conservation of the event to which it relates the Article 14 °.
3. The acts express or those that result as a consequence of the approval automatically or by silence Administrative positive, for those that it acquires powers or rights, when they are contrary to the system legal, or when not be met with the requirements, documentation or procedures essential for your to dquisición.
4. The acts administrative that are constitutive of offense criminal, or that are issued as a result of the same.

Article 11 °. - Competent instance to declare the nullity.

11.1. The administered ones raise the nullity of the administrative acts that concern him by means of the administrative resources foreseen in the Title III Chapter II of the present Law.
11.2. The nullity will be known and declared by the superior authority of the one who dictated the act. If you try for one act dictated by one authority that does not is subject to subordination hierarchical, the invalidity is declared by resolution of the same au thority.
11.3. The resolution that declares the nullity, also available as convenient to make effective the responsibility of the issuer of the act invalid.

Article 12 - Effects of the declaration of invalidity

12.1. The declaration of nullity shall have effect declaratory and retroactive to the date of the act, except rights acquired in good faith by third parties, in which case it will operate
in the future
12.2. Respect of the act declared null, the administered not are bound to their compliance and the servers public should oppose to the execution of the act, founding and motivating its refusal.
12.3. In case of that the act flawed it had accomplished, or rather is impossible to roll back its effects, just give place to the responsibility of who issued the act and in his case, to the compensation for the affected.

Article 13 °. - Scope of the annulment

13.1. The nullity of an act only implies that of the successive ones in the procedure, when they are linked to him.
13.2. The invalidity part of the act administrative not reach to the other parts of the act, which result independent of the part void, unless it is the result, and prevents the production of effects for those which do not , however the act may be suitable, safe disposal legal in contrary.
13.3. Who declared the nullity, it has the conservation of those actions or procedures whose content any remained the same for not having incurred in the vi cio.

Article 14 - Conservation of the act

14.1. When the vice of the act administration for the failure to its elements of validity, there is transcendent, it prevails the conservation of the act,
proceeding to its amendment by the issuing authority itself .
14.2. Are acts administrative affected by vices not transcendent, the sig uientes:

14.2.1. The act whose content is inaccurate or inconsistent with the issues raised in the motivation.
14.2.2. The act issued with one motivation inadequate or biased.
14.2.3. The act issued in violation of the non- essential formalities of the procedure, considered as such those whose correct performance would not have prevented or changed the meaning of the final decision , in important aspects , or whose breach will not affect the due process of the administered.
14.2.4. When it is completed undoubtedly in any other way that the act administration had had the same content of not having produced the vi cio.
14.2.5. That issued with omission of non- essential documentation .

14.3. Not however the conservation of the act, remains the responsibility administrative of who issued the act flawed, except that the amendment will occur without order of party and prior to its execution.

Article 15 - Independence of the vices of the administrative act

The vices incurred in the execution of an administrative act , or in its notification to the administered ones, are independent of its validity.

CHAPTER II
Effectiveness of the actions administrative

Article 16 ° .- Effectiveness of the act administrative

16.1. The act administration is effective to starting of which the notice legally performed produces its effects, according to the provisions in the present chapter.

16.2. The act administration that provides benefit to the administered is understood effective from the date of its issuance, unless provision different from the same act.

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

17.1. The authority may have in the same act administrative that have effectively advance to their issue, only if it were more favorably to the managed, and provided that no injures rights fundamental or interests of good faith legally protected by third parties and that existed on the date of the which seeks rolled back the effectiveness of the act the course of fact justification for its adoption.
17.2. Also they have effectively advance the declaration of invalidity and the acts that were enacted in amendment.

Article 18 °. - Obligation to notify

18.1. The notification of the act will be practiced in trade and their due diligenciamiento will be competition from the entity that it issued.
18.2. The notification staff may be made to through of the own entity, for services of courier specially hired for the purpose and in case of areas far, can be arranged is practiced by intermediate of the prefects, sub - prefects and subordinates.

Article 19 - Waiver of notice

19.1 The authority is dispensed to notify formally to the administered any act that has been issued in his presence, provided that there is record of this action procedural which record the attendance of the administered.
19.2 also is exempted from notification if the administered take knowledge of the act concerned by their access direct and spontaneous to the record, collecting his copy, leaving evidence of this situation in the exp ediente.

Article 20 - Method of notification

20.1 The notification will be made to using of the following modes, as this respective order of priority.

20.1.1 Personal notification to the administrator interested or affected by the act, in your address
20.1.2 By telegram, certified mail , fax, email ; or any other medium that allows check irrefutably its acknowledgment of receipt and whom it receives, provided that the use of any of these media had been requested specifically by the administered.
20.1.3 For publication in the Journal Official and in one of the newspapers of greater circulation in the territory national, safe disposal other than the law.

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

> You can go in addition to those or other, if so it may deem appropriate to improve the possibilities of participation of the ad ministered.

20.3 Treatment equal to the provided in this chapter corresponds to the subpoenas, the locations, the requirements of documents or of other acts administrative analogues.

Article 21 - Regime of the reporting staff

21.1 The notification staff will make in the home that record in the file, or at the last address that the person to whom should report has pointed to the organ administrative in another procedure analogous to the own entity within
of the last year.
21.2 In the event that the administered not been designated address, the authority must exhaust your search using the means that are found at their fingertips, turning to sources of information from the entities of the town.
21.3 In the event of notice must be delivered copy of the act notified and note the date and time in which it is performed, collecting the name and signature of the person with whom will understand the diligence. If this is denied it will consist so on the record.
21.4 The notification staff, is understood with the person who should be notified or your representative legal, but to not be present either of the two at the time of giving the notice, you may be understood with the person who is

found in said address, leaving proof of his name, document of identity and of its relationship with the managed.

Article 22 - Notification to plurality of interested parties.

22.1 When are several their recipients, the act will be notified personally to all, except itself act together under one same representation or if have designated one address common to notifications, in which case they are made in that direction only.
22.2 It should be reported to more than ten people who have raised one single application with right common, the notification is done with who heads the written initial, indicating that transmit the decision to their joint interested.

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

23.1 The publication will proceed according to the following order:

23.1.1.1.1 In via main, the case of provisions of scope generally or those acts administrative that interest to one number undetermined of administered not apersonados to the procedure and without address known.
23.1.1.1.2 In via subsidiary to other modalities, in the case of acts administrative in nature especially when the law so it requires, or the authority is found in front of any of the following circumstances into evidence and attributable to the administered.

§ When prove impracticable another embodiment of notification preferred by ignore the address of the administered even to the inquiry made.
§ When was he had practiced fruitlessly any other form, either because the person to whom be notified has disappeared, it is wrong the address provided by the managed or is found in the abroad without having left representative legal, in spite of the request made to through to the Consulate respective .

23.2 The publication of an act must contain the same elements provided for the notification indicated in this chapter; but in the case of publishing several acts with elements common, it may come in the form together with the aspects coincident, specifying only the single of each act.

Article 24 ° . - Term and content to make the notification.

24.1 Any notice must be practiced at more than inside of the term of five (5) days, to starting from the issuance of the act that is notified and shall contain:

24.1.1 The text integral of the act administrative, including their motivation.
24.1.2 The identification the procedure within of the which has been issued
24.1.3 The authority and institution proceed the act and its address.
24.1.4 The date of validity of the act notified, and with the mention of whether used up all the way administrative.
24.1.5 When you try to one publication addressed to third parties, it will add also any other information that may be important to protect their interests and d ights.
24.1.6 The expression of the resources that come, the organ before the which should present the resources and the deadline for remedies.

24.2 If on the basis of information erroneous, contained in the notification, the managed practice any act procedural that is rejected by the entity, the time elapsed will not be taken into account to determine the expiry of the deadlines that apply.

Article 25 - Validity of the notification

1. The notifications personal: the day that there Were been made
2. The courses taken by mail certificate, trade, e - mail and the like: the day that there Were been made.
3. The notices for publication to starting from the date of the last publication in the Journal Official
4. When by available legal expresses, one act administration should be at the time notified personally to the managed and published to protect rights or interests legitimate of third parties not apersonados or indeterminate, the act will produce effects in from of the last notification.

For purposes of computing the start of the deadlines are must follow the rules laid down in the Article 133 ° of the present Law.

Article 26 °. - Defective notifications

26.1 In case it is proven that the notification has been made without the formalities and requirements legal, the authority shall order it remake, correcting the omissions in which it had incurred, without prejudice to the administered.
26.2 The dismissal of the challenge to the validity of one notification, cause that such notification operate from the date it was made.

Article 27 ° . - Sanitation of defective notifications

27.1 The notifications faulty by omission of any of their requirements of content, shall take effect legal to starting from the date on which the interested states explicitly having received, if not there is evidence to the contrary.
27.2 also will have by either notified to the administered to starting of the conduct of proceedings procedural of the person concerned to allow assume reasonably that had knowledge appropriate to the content or scope of the resolution, or interpose any remedy to proceed. Do not be considered such, the application of notification made by the administered, to order that he be communicated any decision of the authority.

Article 28 - Communications to the inside of the administration

28.1 The communications between the bodies administrative to the inside of one entity be made directly, avoiding the involvement of other organs.
28.2 The communication of resolutions to other authorities national or the requirement for the fulfillment of proceedings in the procedure will be studied provided directly under the regime of the notification without performances of mere transfer in reason of hierarchies internal or transcription by bodies in termedios.
28.3 When any other internal administrative authority or body must have knowledge of the communication will you send back information.
28.4 The record documentary of the transmission to distance by means electronic between entities and authorities, is of by other documents authentic and give full faith to all its effects inside of the record for both parties, in regard to the existence of the Original transmitted and its reception.

Of the administrative
procedure CHAPTER
I
General Provisions

Article 29 - Definition of administrative procedure

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

Article 30 °. - Qualification of administrative procedures

The procedures administrative that, by demanding legal, should start the run to the entities to meet or exercising their interests or rights, are classified according to the provisions of the present chapter, in: procedures for approval automatic or of assessment prior by the entity, and this latter to its once subject, in case of lack of pronouncement appropriate, to silence positive or silent negative. Each entity indicates these procedures in its text Unico of Procedures Administrative - Tupa following the criteria established in the present system.

Article 31 °. - Scheme of the procedure for approval automatic

31.1 In the procedure of approval automatically the application is considered approved from the very moment of its submission to the authority competent to know, provided you comply with the requirements and deliver the
documentation complete, required in the TUPAs of the entity.
31.2 In this procedure, the authorities did not issue any statement express confirmatory of the approval automatic, must only perform the audit later. Without But when in the procedures of approval automatically is required necessarily for the issuance of one document without the which the user does not can make effective their right, the term maximum for your shipment is of five days working, without prejudice to those times higher fixed by laws special prior to the effect of the present Act.
31.3 As proof of the approval automatically from the application of the run, just the copy of the written or in the format presented containing the stamp official of receipt without observations and indicating the number of registration of the application,
date, time and signature of the receiving agent .
31.4 Are procedures for approval , automatically subject to the presumption of veracity, those leading to the obtaining of licenses, permits, certificates and copies certified or similar that enable for the exercise continued for activities professional, social, economic or labor in the field private, provided they do not affect rights of third parties and without prejudice to the control back to perform the administration.

Article 32 °. - Subsequent audit

32.1 For the control post, the entity before the that is done one procedure of approval automatic or evaluation prior is obliged to verify the job by the system of the sampling, the authenticity of the statements in the documents of the information and of the translations provided by the administrator.
32.2 The control comprises not less than the 10% of all the files subject to the mode of approval automatic, with one maximum of 50 records by half, may be increased taking into account the impact that in the interest generally in the economy, in the security or in the health citizen can lead

to the occurrence of fraud or misrepresentation in the information, documentation or declaration presented. Said inspection must be carried out semiannually in accordance with the guidelines that for this purpose will dictate the

Presidency of the Council of Ministers.
32.3 In case of verifying fraud or falsehood in the declaration, information or in the documentation presented by the administrator, the entity will consider not
satisfied the requirement relevant to all its effects, proceeding to communicate the fact to the authority hierarchically superior, if it exist, for it will declare the nullity of the act administrative sustained in such declaration, information or document; impose a fine on behalf of the entity between two and five Units to anyone who has used that statement, information or document
Tax Taxes in force on the date of payment; and, moreover, if the behavior is suited to the assumptions provided in the Title XIX Crimes against the Fe Public of the Code of Criminal Procedure, it must be communicated to the Ministry Public for that interpose the action criminal accordingly.

Article 33 °. - Procedure for assessment prior to silence positive

The procedures for assessment prior are subject to silence positive, when it is involved in some of the following assumptions:

1. Requests whose estimate enable for the exercise of rights existing, except that using it is transferred powers of the administration public or to enable to perform activities that are exhausted instantly in your exercise.
2. Resources destined to question the dismissal of an application when the individual has opted for the application of negative administrative silence .
3. Procedures in the which the significance of the decision end not to impact directly on managed different from the petitioner, by the limitation, damage or impairment to their interests or rights legitimate.
4. All the other procedures at the request of part not subject to the silence negative limitation referred to in the article below, except the procedures of request gratia and of consultation that is governed by its regulations specific.

Article 34 - Procedures for assessment prior to silence negative.

34.1 The procedures for assessment prior are subject to the silence negative when it is involved in any of the following assumptions.

34.1.1 When the application be on matters of interest the public, focusing on the health, medium environment, resources natural, the security citizen, the system financial and of insurance, the market for

securities, the defending national and the heritage historical culture of the nation.
34.1.2 When questioning other previous administrative acts , except for resources in the case of numeral 2 of the previous article .
34.1.3 When they are trilateral procedures and those that generate obligation to give or do in charge of the State.
34.1.4 The procedures of registration registration.
34.1.5 Those to those who, by virtue of the law expresses, is applicable this mode of silence administrative.

34.2 The authorities are empowered to qualify for so different in their TUPAs, the procedures included in the numerals 34.1.1. and 34.1.4, when they appreciate that its effects recognize the interest of the applicant, without significantly exposing the general interest .

Article 35 - Maximum term of the administrative procedure of previous evaluation .

The time that elapses from the start of one procedure administrative of assessment prior to that it dictated the resolution respectively, no can exceed of thirty (30) days working, except that by law or decree legislative will establish procedures whose compliance requires one duration higher.

Article 36 - Legality of the procedure

36.1 The procedures, r equirements and costs administration are set exclusively by decree supreme or standard of higher hierarchy, standard of the most high authority regional, of Ordinance Municipal or of the decision of the owner of the entities autonomous according to the Constitution, according to its nature . These procedures must be summarized and systematized in the Single Text of Administrative Procedures , approved for each entity.
36.2 The entities only require to those administered the compliance of procedures, the submission of documents, the provision of information or the payment for rights of processing, provided they comply with the requirements laid down in the paragraph above. Incurred in responsibility the authority that comes from so different, making demands to the run out of these cases.
36.3 The provisions relating to the elimination of procedures or requirements or to the simplification of the same, may be approved by resolution Ministerial, Norma Regional of rank equivalent or decree of Mayor, as you try to entities dependent on the Government Central Government Regional or Local, respectively.

Article 37 - Content of the Single Text of Administrative Procedures

All the entities prepare and approve or manage the approval, as the case of your text One of Procedures Administrative, on which comprises:

1. All the procedures of initiative in part required by the managed to satisfy their interests or rights by the pronouncement of any organ of the body, provided that this requirement count with support legal on which shall be entered explicitly in the TUPAs with indication of the date of publication in the Official Gazette.
2. The clear and taxative description of all the requirements required for the performing full of each procedure.
3. The rating of each procedure as appropriate between procedures for assessment prior or of approval automatically.
4. In the case of procedures for assessment prior if the silence administrative applicable is negative or positive.
5. The cases in which proceeds the payment of rights of processing, with indication of the amount and form of payment. The amount of the rights is expressed with regard to the ITU, to be published in the entities in currency of ongoing legal.
6. The paths of reception appropriate for access to the procedures contained in the TUPAs, in accordance to what provided by the items 116 ° and following of the present Law.
7. The competent authority to resolve in each instance of the procedure and the resources to stand for access to them.
8. The forms that are used during the processing of the respective administrative procedure .

THE TUPAs also include the relationship of those services provided in exclusivity by the entities, when the administered not have possibility to obtain them by going to another place or dependence. It will require with respect to them as provided in the subsections 2, 5, 6,7, and 8, above, in what it was applicable. The requirements and conditions for the provision of the services by the entities shall be fixed by decree supreme countersigned by the President of the Council of M inistros.
For those services that will not be rendered in exclusivity, the entities to through the Resolution of the Head of the Pliego establish the requirements and costs related to the same, those which should be properly disseminated to which are of public knowledge.

Article 38 - Approval and dissemination of the text Unico of Procedures A dministrativos

38.1 The text One of Procedures Administrative (TUPAs) is approved by Decree Supreme of the sector by the standard of maximum level of the authorities regional, by Ordinance Municipal, or by resolution of the Head of organization constitutionally autonomous, as the level of government concerned.
38.2 Each two (2) years, the institutions are obliged to publish the whole of the Tupa under the responsibility of its owner; without

however, they may do so before, when you consider that the modifications produced in the same so warrant. The term is calculated to starting from the date of the last publication of the same.
38.3 The TUPAs is published in the Journal Official El Peruano when it comes to entities with powerful national, or in the daily manager of the notices court in the capital city of the region or province, in the case of entities with powerful lower.
38.4 Without prejudice to the indicated publication, each entity makes the diffusion of its TUPAs by its location in one place visible from the entity.
38.5 A once approved the Tupa any change that does not involve the creation of new procedures, increase the rights of processing or requirements, it should make for a resolution Ministerial of the Sector, Norma Regional of rank equivalent or decree of City Hall, or by resolution of the Titular of the Autonomous Body according to the constitution, according to the respective level of government . In case contrary, its approval is carried out in accordance with the mechanism established in the numeral 38.1. In both cases it was published the modification according to what provided by the numeral 38.3.
38.6 For the preparation of the TUPAs will endeavor to avoid the duplication of procedures administration in the different entities of the administration Purple Republic.

Article 39 ° . - Considerations for structuring the procedure

39.1 Only be included as conditions required for the completion of each procedure administrative those who reasonably be necessary to obtain the pronouncement corresponding basis in addition to their costs and benefits.
39.2 For this purpose, each entity considers as criteria:

39.2.1 The documentation that according to this law can be applied for the handicapped to require and those substitutes established in replacement of documentation ori ginal.
39.2.2 Your need and relevance in relation to the object of the procedure administrative and to obtain the required pronouncement .
39.2.3 The capacity Real of the entity to process the information required, in way of evaluation prior or control later.

Article 40 ° . - Documentation prohibited from requesting

40.1 For the start, continuation or conclusion of one procedure, the entities are prohibited from applying to those administered the presentation of the following information or the documents that the contain:

40.1.1 That which the requesting entity owns or must possess by virtue of a procedure previously carried out by the administrator in any of its dependencies, or for having been inspected by it, for five (5) immediate previous years , provided that the data does not they had undergone variation or has expired the validity of the document delivered. To accredit enough that the managed displays the copy of the charge which record this presentation, duly stamped and dated by the company to the which had been a dministrada.
40.1.2 That which it has been issued by the same entity or by other entities public of the industry, in which case corresponds gather evidence to the own entity to

application of the managed.
40.1.3 Presentation of more than two copies of one same document to the agency, unless it is necessary to notify to other many stakeholders.
40.1.4 pictures, except to obtain documents of identity passports or licenses or authorizations for such personnel or for reasons of security national. The run will have freedom to choose the company in the which are obtained the photographs, with the exception of the cases of digitalization of im thumbnails.
40.1.5 Documents of Identity personnel different to the book Electoral or Document National of Identity. Also, only it will be required for the citizens foreign passport of alien or passport as appropriate.
40.1.6 Collect stamps from the entity itself , which must be collected by the authority in charge of the file.
40.1.7 documents or copies new, when they are presented other, not however have been produced for another purpose, unless they are illegible.
40.1.8 Proof of payment made to the own entity by any process, in which case the administered only is obliged to inform in its written the day of payment and the number of proof of payment, corresponding to the administration the check immediately.

40.2 The provisions contained in this Article does not limit the ability of the administered to submit spontaneously the documents mentioned, to consider appropriate.

Article 41 °. - Documents

41.1 For the fulfillment of the requirements relating to the procedures administrative, the entities are obliged to receive the following documents and information in time for the documentation officer, to the which replaced with the same merit as evidence:

41.1.1 Copies simple or authenticated by the notary institutional, in replacement of documents originals or copies authenticated by a notary of such documents. The copies simple be accepted, are or not certified by notaries, officials or servants public in the exercise of their functions and have the same value that the documents original to the fulfillment of the requirements relating to the handling of procedures administrative followed before any entity. Only they will require copies certified by notaries institutional in the cases in which it is reasonably necessary.
41.1.2 Translations simple with the indication and subscription of who officiate in translator duly identified, in place of translations officers.
41.1.3 The expressions written of the administered contained in statements with character jury by the which assert their situation or state favor in relation to the requirements that requests the entity, in replacement of certifications official on the conditions special of the self - administered, such as background police , certificates of good conduct, of home, of survival, of orphans, of widowhood, of loss of documents, among others.
41.1.4 Instruments private ballots notarized or copies simple of the scriptures public, in time of instruments public of any nature, or testimony Notarial, respectively.
41.1.5 Constancias original signed by professional independent duly identified in replacement of certifications officers approached to of the conditions special of the administered or of their interests whose appreciation requires special attitudes technical or professional to

recognize, such as certificates of health or flat architectural, among other . It will seek to professional referees only when the standard that regulates the requirements of the procedure and the required.
41.1.6 Copies Photocopies of formats official or one reproduction particularly of them made by the administrator respecting fully the structure of those defined by the authority, in replacement of the forms official approved by

the entity itself for the provision of data.

41.2 The submission and acceptance of the substitutes documentaries are made to the protection of the principle of presumption of truthfulness and carries the realization mandatory for actions to control subsequent to charge of such entities.
41.3 The provisions in the present article is applicable even when one standard express arrange the presentation of original documents .
41.4 The provisions contained in this Article does not limit the right of the administered to submit the documentation prohibited from requiring, in the event of being deemed suitable to your right.

Article 42 °. - Presumption of truthfulness

42.1 All the declarations sworn, the documents substitutes presented and the information included in the written and forms to submit those administered for the completion of procedures administrative, are presumed verified by who makes use of them, as well as the content accurate for purposes administrative, except test to the contrary.
42.2 In case of the translations of hand, as well as the reports or records professionals or techniques presented as substitutes for documentation officer, said responsibility reaches jointly to whom the presents and to those that the have issued.

Article 43 °. - Value of public and private documents

43.1 are considered documents public those issued validly by the bodies of the entities.
43.2 The copy of any document public has of the same validity and effectiveness that these, provided that there is proof of that is true.
43.3 The copy of the document private whose authenticity has been certified by the notary, has validity and effectiveness full, exclusively in the field of activity of the entity that the authentic.

Article 44 - Right of processing

44.1 should establish rights for processing in the procedures administrative, when the processing involves for the entity the provision of one service specific and individualisable on behalf of the administered, or in function of the cost arising from the activities aimed to analyze the request; except in those cases in which there are taxes intended to finance directly the activities of the entity. This cost includes

the cost of operation and maintenance of the infrastructure associated with each procedure.
44.2 These are conditions for the origin of this collection: that the entity is authorized to demand it by a rule with the rank of law and that it is recorded in its current Single Text of Administrative Procedures .
44.3 No appropriate to establish fees for rights of processing for procedures initiated by trade, or in those in those that are exercised the right of petition gratia or the of complaint against the company for violations functional of its own officials or which should be known by the Offices of Audit Internal.
44.4 There can divide the procedures or established fees by stages.
44.5 The entity is required to reduce the rights of processing in the procedures administrative if, as a product of its processing, is there Were generated surplus budget in the year before.
44.6 By decree supreme countersigned by the President of the Council of Ministers and the Minister of Economy and Finance will specify the criteria and procedures for the determination of the costs of the procedures and services administration that provides the administration and for the securing of the rights of processing .

Article 45 ° . - Limit of the rights of processing

45.1 The amount of the right of processing is determined in function to the amount of the cost to its implementation generates for the company for the service provided during all its processing and, in his case, by the cost actual of production of documents that issued the entity. Its amount is supported by the operation in charge of the office of management of each entity.

When the cost is superior to one ITU is required to avail of one regime of exception, the which shall be established by decree supreme countersigned by the President of the Council of Ministers and the Minister of Economy and Finance.

45.2 The entities not be set payments differentiated to give preference or treatment especially to one application distinguishing it from the others of their same kind, nor discriminate in depending on the type of run that follow the procedure.

Article 46 °. - Cancellation of the rights of processing

The form of cancellation of the rights of processing is established in the TUPAs institutional, must tender to which the payment on behalf of the entity can be performed by any form cash that allows its finding, including fertilizers in accounts bank or transfer electronic of funds.

Article 47 ° . - Reimbursement of administrative expenses

47.1 Only applicable the reimbursement of expenses administrative when one law expressly so authorized.

Administrative expenses are those caused by specific actions requested by the administrator within the procedure. It is requested one time started the procedure administrative and is in charge of the administered which has requested the action or of all the managed, yes the matter was of interest common; having the right to verify and, in his case, to observe the livelihood of the costs to be reimbursed.
47.2 No there is condemnation of costs in any proceedings administrative.

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

The Presidency of the Council of Minister will have to his charge ensure the compliance of the rules established in the present chapter in all the institutions of the administration public, without prejudice to the powers attributed to the Commission on access to the market of the Instituto Nacional of the Competition and defense of the Property Intellectual in the Article 26 " BIS of the Decree Law No. 25868 and in the article 61" of the Decree Legislative No. 776 to meet and resolve complaints that the citizens or agents economic will formulate on the subject. Without But when in one issue of competence of the Commission of access to the market, the alleged barrier bureaucracy has been established by one decree supreme or resolution ministerial, the INDECOPI raise one report to the Presidency of the Council of Ministers for his elevation to the Council of ministers on who should
necessarily solve it raised in the period of 30 days. The same case will apply when the alleged barrier bureaucracy is found established in one ordinance municipal, must raise, in this case, the report to the Council Municipal to that resolved legally in the period of (30) thirty days.
The Presidency of the Council of Ministers is empowered to:

1. Provide advice to the institutions in terms of simplifying administrative and assessment of how permanent the process of simplifying administrative to the inside of the entities, for what that may request all the information you require of them.
2. To supervise and monitor the compliance of the norms of the present Law.
3. Detect the breaches to the rules of the present law and to recommend the changes that they consider relevant, giving to the entities one term

peremptory for the correction.
4. In case of not produced the correction, the Presidency of the Council of Ministers will make the proposed regulations required to make the changes it deems appropriate and perform the steps leading to make effective the responsibility of the officials involved.
5. Detect the case of duplication of the procedures administrative in the different entities and propose the necessary measures for its correction.
6. Dictate directives of compliance compulsory aimed to ensure the compliance of the norms of the present Law.
7. Perform the steps of the case leading to make effective the responsibility of the officials for the breach of the rules of the present Chapter, for what that has to legitimacy for action against the various entities of the administration public.

8. Establish the mechanisms for the receipt of complaints and other mechanisms of participation of the citizenry. When such complaints are relating to matters of the competence of the Commission of access to the market, it is inhibited to know them and the forwarded directly to it.
9. To approve the placement of the entities to the regime of exception for the establishment of rights of processing superior to one (1) UIT.
10. Others that indicate the corresponding devices .

By decree supreme shall endorsed by the President of the Council of Ministers will dictate the measures regulatory and complementary to the implementation of the provisions in the present article.

Article 49 ° . - Regime of entities without text One of Procedures Administrative current

When the entity does not comply with publishing your text One of Procedures Administrative, or you publish omitting procedures, the administered, without prejudice to make effective the responsibility of the authority infringing, are subject to the following scheme:

1. With respect to the procedures administrative that corresponds be approved Automatically, the run are released from the requirement to initiate the procedure for obtaining the authorization prior, to carry out its activity professional, social, economic or labor, not be possible for sanctions for the free development of such activities. The suspension of this prerogative of the authority concludes to starting of the publication of the TUPAs, without effect retroactive.
2. With respect to the other matters subject to procedures for evaluation prior, will follow the rules provided in each case by this Chapter.

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 , it is understood by subjects of the procedure to:

1. Administered : the person the natural or legal that anyone is its rating or situation procedural, participating in the procedure administration. When an entity intervenes in a procedure as administered, it is submitted to the
rules that the discipline in equality of powers and duties to the other ad ministers.
2. Administrative authority ; the agent of the entities that under any regime law and exercising powers public lead the beginning, the training, the support, the resolution, the execution, or that of another way involved in the management of the procedures administrative.

Subchapter I
Of the administered

Article 51 °. - Content of the managed concept

They are considered to be administered with respect to any co-administrative procedure :

1. Those who promote it as holders of legitimate individual or collective rights or interests .
2. Those who, without having initiated the procedure, have legitimate rights or interests that may be affected by the decision to be taken.

Article 52 °. - Procedural Capacity

They have capacity proceedings before the bodies of people who enjoy the capacity legal according to the laws.

Article 53 °. - Representation of legal persons .

The people legal may intervene in the proceedings to through of their representatives legal, who act Prepared with of the respective powers.

Article 54. - Freedom of procedural action

54.1 The run is empowered, in their relations with the institutions, to perform any action that is not it either expressly prohibited by any device ju rídico.
54.2 For the purposes of the paragraph above, is understood prohibited all that they prevent or disturb the rights of other administered, or the compliance of their duties with respect to the procedure administrative.

Article 55 °. - Law of the administered

They are rights of the administered with regard to the procedure , administrative the following:

1. The precedence in the attention of the public service required, keeping rigorous order of income.
2. Be treated with respect and consideration by the personnel of the entities, in conditions of equality with the other administered.
3. Access, at any time, in so direct and without limitation any of the information contained in the records of the proceedings administrative in which they are parties and to obtain copies of the documents contained in the same defraying the cost to assume his order, except the exceptions expressly provided by law.
4. Access to the information free that should provide the institutions of the State on their activities aimed at the community, including their purposes, powers, functions, flowcharts, location of units, hours of care, procedures and features.
5. To be informed on the procedures of trade on the nature, scope and to be expected, for the period estimated for its duration, as well as of their rights and obligations in the course of such action.
6. Participate responsible and progressive in the delivery and monitoring of the services public, ensuring its efficiency and opportunity.
7. In the fulfillment of the deadlines determined for each service or performance and demand it and to the authorities.
8. Be assisted by the entities for the fulfillment of their obligations-
9. Know the identity of the authorities and personnel at the service of the entity under whose responsibility the procedures of their interest are processed .

10. A that the actions of the entities that they affect are carried to out in the manner least burdensome possible.
11. To the exercise responsible for the right to formulate analysis, criticism or to question
the decisions and actions of the entities.
12. To demand the responsibility of the entities and of the staff at your service, when so appropriate legally, and

13. The other rights recognized by the Constitution or the laws.

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

procedure

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

1. Refrain from making claims or joints illegal to declare facts, contrary to the truth or not confirms two as if they were authentic, to request action merely delaying, or in any other way affect the principle of conduct procedural.
2. Provide their collaboration for the relevant clarification of the facts.
3. Provide to the authority any information directed to identify to other managed not appearing with interest legitimate in the procedure.
4. Check prior to its submission to the entity, the authenticity of the documents ersatz and of any r other information that will protect him in the presumption of veracity.

Article 57 °. - Provision of information to the entities

57.1 The administered are authorized to provide to the institutions the information and documents related to their requests or complaints they deem necessary to obtain the statement.
57.2 In the procedures investigatory, the run are obliged to provide the information and documents that they met and WHATSOEVER reasonably appropriate to the objectives of the action to achieve the true material according to the provisions in the chapter on the instruction.

Article 58 °. - Formalities of the appearance

58.1 The entities may convene the hearing staff at the headquarters of the administered only when well he has been authorized expressly by law.
58.2 The administered may appear assisted by advisers when it necessary for the best exposition of the truth of the facts.
58.3 At the verbal request of the administrator, the entity delivers at the end of the act, proof of his appearance and a copy of the minutes drawn up.

Article 59 ° .- Formalities of the hearing

59.1 The summons is governed by the rules common to the notice by stating in it the following:

59.1.1 The name and the address of the body that quote with identification of the authority requesting;
59.1.2 The purpose and subject of the appearance;
59.1.3 The names and surnames of the aforementioned;
59.1.4 The day and time in which should appear the aforementioned, that not may be earlier than the third day of received the subpoena and, in case of being predictable, the duration maximum that demand your presence. Conventionally it can set the day and time of com parecencia;
59.1.5 The legal provision that empowers the body to make this citation; Y,
59.1.6 The warning, in case of insistence to the requirement.

59.2 The hearing must be held, in what may, in so consistent with

the labor or professional obligations of the summoned.
59.3 The summons that infringe any of the requirements indicated no Surte effect, nor forces to their assistance to the administered.

Article 60 °. - Managed third parties

60.1 If during the processing of one procedure is noticed the existence of third parties determined not appearing whose rights or interests legitimate to be concerned with the resolution to be issued, such processing and you acted they should be communicated by summons to the address that resulting known, without interrupt the procedure
60.2 With respect to third parties managed not certain, the citation is made by publication or, where appropriate by the completion of the processing of information public or hearing public, pursuant to this Act.
60.3 The third party may appear in person in any state of the procedure, having the same rights and obligations of the participants in it.

Subchapter II
From the administrative authority : General principles and competence

Article 61 °. - Source of administrative competence

61.1 The competence of the entities has its source in the Constitution and in the law, and it is regulated by the rules administrative which of those are derived.
61.2 Every entity is competent to perform the tasks materials internal necessary for the efficient fulfillment of its mission and objectives, as well as for the distribution of the powers that were found included inside of his co mpetencia.

Article 62 °. - Presumption of deconcentrated competition

62.1 When one rule attributed to one entity any jurisdiction or authority without specifying which organs to the inside should exercise it should be understood that corresponds to the body of lower hierarchy of function more similarly linked to it in because of the matter and of territories and, in case of exist several organs possible, to the upper hierarchical common.
62.2 particular responsibility to these bodies resolve the issues that consist in the mere confrontation of facts with rules express or issues such as certifications, registrations, referrals to the file, notifications, issue of copies certified of documents, communications or the return of d OCUMENTS.
62.3 Each entity is competent to perform internal material tasks necessary for the efficient fulfillment of its mission and objectives.

Article 63 °. - Character inalienable of the competition administrative

63.1 is void all acts administrative or contract that provides for the waiver of the ownership, or the abstention from the exercise of the powers conferred to any organ administrative.
63.2 Only by law by mandate court expressed, in one case specifically, may be payable to one authority does not exercise any attribution management.
63.3 The delay or negligence in the exercise of the competition or its not exercise when it may be, is missing disciplinary imputable to the authority res spective.

Article 64 °. - Conflict with the jurisdictional function

64.1 When, during the processing of one procedure, the authority administrative acquires knowledge that is being processed at headquarters court

one question at issue between two administered on certain relations of law private that require to be clarified prior to the pronouncement administrative request to the national judicial communication on the actions carried out.
64.2 Upon receipt of the communication, and only if it considers that there is strict identity of subject, facts and grounds, the authority competent for the resolution of the procedure may determine its inhibition up to the national court to resolve the dispute.

The resolution inhibitory is high in consultation with the superior hierarchical, if you exist, even when not mediate appeal. If it is confirmed the resolution inhibitory is communicated to the Attorney Public appropriate for that to be the case and agree to the interests of the State, it enters a case to the p rocess.

Article 65 °. - Exercise of the competition

65.1 The exercise of the competition is one obligation directly to the body Administrative that the has assigned as its own, except the change of competition for reasons of delegation or evocation, according to the provisions in this Act.
65.2 The request of management, the delegation of signature and the suplencia not pose
alteration of the ownership of the competition.
65.3 No can be changed, altered or modified the competence of the institutions enshrined in the Constitution.

Article 66 °. - Change of competence for organizational reasons
If during the processing of one procedure administrative, the competition to know is transferred to another body or entity management for reasons organizational, in it will continue the process without rolling back steps or suspend deadlines.

Article 67 °. - Delegation of competence

67.1 The entities may delegate the exercise of jurisdiction conferred to their bodies in other entities when there are circumstances of such technical, economic, social or territorial that it made convenient.
67.2 are delegated the powers essential to the body to justify its existence, the authority to issue rules general, to solve resource administration in the bodies that have dictated the acts object of appeal, and the powers at their time received in delegation.
67.3 As long as the delegation, not may the delegator exercise the jurisdiction that He had delegated, except the cases in which the law allows the certiorari.
67.4 The acts administrative issued by delegation indicate expressly this circumstance and are considered issued by the delegating entity .
67.5 The delegation is extinguished:

a) By revocation or avocation.
b) For the implementation of the term or the condition laid down in the act of delegation.

Article 68 °. - Duty of surveillance of the delegate

The delegator will always the obligation to monitor the management of the delegate, and may be responsible with it by fault in the monitoring.

Article 69 °. - Avocation of competition

69.1 With character generally, the law may consider cases outstanding of certiorari of knowledge, by part of the superiors, in reason of the matter, or of the special structure of each entity.
69.2 The delegating entity may focus on the knowledge and decision of any

matter specifically which corresponds decide to another, in virtue of delegation. Article 70 °. - Provision common to the delegation and certiorari of competition Every change of competition must be temporary, motivated, and be its content
referred to one series of acts or procedures outlined in the act which it originates. The decision that is available must be notified to the administered included in the procedure in course with prior to the resolution that was di cte.

Article 71 °. - Order of Management

71.1 The realization of activities with nature materials, technical or of services of competence of one organ may be entrusted to other organs or bodies for reasons of efficiency, or when the charge possesses the means suitable for its performance by itself same.
71.2 The request is formalized by agreement, which record the express mention of the activity or activities to the that affect the term of validity, the nature and the scope.
71.3 The organ in charge remains with the ownership of the competition and with the responsibility for it, having to supervise the activity.
71.4 By norm with rank of law, can be empowered to the entities to carry out orders from management to persons legal no state, when reasons of such technical and budgeted so make advisable under the same terms provided in this article, such request must be done with restraint to the Administrative Law .

Article 72 °. - Delegation of signature

72.1 The holders of the bodies administration can be delegated through communication written the signing of acts and decisions of their competition in their immediate subordinates, or to the holders of the organs or units administrative which of them depend, except in case of resolutions of procedures sanctioning, or those that last to the track management.
72.2 In case of delegation of signature, the delegator is the only responsible and the delegate is limited to sign it resolved by one.
72.3 The delegate subscribes the acts with the entry "by", followed by the name and position of the delegate.

Article 73. - Substitution

73.1 The performance of the positions of the holders of the organs administrative can be supplied temporarily in case of vacancy or absence justified by who designate the authority competent to carry out the appointment of those.
73.2 The deputy replaces to the owner for all purpose legal, exercising the functions of the body with the fullness of the powers and duties that the same contain.
73.3 If he is not appointed holder or substitute, the position is assumed temporarily by the one who follows him in hierarchy in said unit; and in the presence of more than one with the same level, for whom he holds the position with the greatest link to the management of the area he supplies; and, to persist the equivalence, the of greater antiquity, in all the cases with character of interim.

Article 74.- Deconcentration

74.1 The ownership and the exercise of jurisdiction assigned to the bodies administration is disruptive in other hierarchically dependent of those, following the criteria established in the present Law.
74.2 The bodies of management of the entities are located freed of any routine of running, to issue communications ordinary and of the

tasks of formalization of acts administrative, with the object of which they can

focus on activities of planning, supervision, coordination, monitoring internal to their level and in the evaluation of results.
74.3 To the organs hierarchically dependent are they transferred competence to issue resolutions, with the aim of approximating to those administered the powers administrative that concern to their interests.
74.4 Where appropriate the challenge against acts administrative issued on exercise of competence decentralized, it shall resolve to whom the has transferred, except available legal differently.

Article 75.- Duties of the authorities in the proceedings
Are duties of the authorities with respect to the procedure administrative and of its participants, the following:

1. To act inside of the sphere of its competence and according to the purposes for those who
they were granted their powers.
2. Perform their duties following the principles of the procedure administrative provisions set forth in the Preliminary Title of this Law.
3. Mobilize to trade the procedure, when notice any errors or omission of the run, without prejudice to the action that they correspond to them.
4. Refraining of demand to the administered the fulfillment of requirements, the implementation of procedures, the delivery of information or the realization of payments, not provided legally.
5. Carry out the actions to his office in time business, to provide to the administered the timely exercise of the procedural acts of his office.
6. Resolve explicitly all the applications submitted, except in those procedures of approval automatically.
7. Ensure by the effectiveness of the actions procedural, seeking the simplification in its proceedings, without further formalities to the essential to ensure the respect for the rights of the administered or to promote certainty in the proceedings.
8. Interpret the rules administrative of how to better attend the order public to which they are directed, reasonably preserving the rights of the administered.
9. The other provided in the present Law or derivatives of the duty to protect, retain and provide assistance to the rights of the administered, with the aim of preserving their effectiveness.

Subchapter III
Collaboration between entities

Article 76.- Collaboration between entities

76.1 The relationships between the entities are governed by the criteria of collaboration, without which this amount resignation to the competition itself designated by law.

76.2 In attention to the criteria of collaboration the entities must:

76.2.1 Respect the exercise of competence of other entities, without questions out of the levels institutional.
76.2.2 Provide directly the data and information they possess, is that whatever its nature legal or position institutional, to through in any medium, without further limitation that the established by the Constitution or the law, for what that is will tend to the interconnection of equipment for processing mail for information, or other means similar.
76.2.3 Providing in the field itself the cooperation and support active that other entities may require for the fulfillment of their own functions, except that they incurred costs high or put in jeopardy the fulfillment of their own duties.
76.2.4 Provide to the entities the means of evidence that are found in their power, when they are requested for the better fulfillment of their duties, unless provision legal in hand.

Article 77.- Means of inter-institutional collaboration

77.1 The entities are empowered to give stability to the collaboration interagency through conferences between entities linked, agreements of cooperation or other means legally admissible.
77.2 The conferences between entities linked allow for those entities that correspond to one same problem management, meet to exchange mechanisms of solution, facilitate the collaboration institutional in aspects common specific and constitute instances of cooperation bilateral.

> The agreements will be formalized when it so warrants, through agreements signed by the representatives authorized.

77.3 By the agreements of collaboration, the entities to through of their representatives authorized, held inside of the law agreements in the field of their respective competence, of nature mandatory for the parties and with clause expresses the free adhesion and separation.

Article 78 ° .- Execution of the collaboration between authorities

78.1 The origin of the collaboration requested is regulated according to the rules themselves of the authority applicant, but its enforcement is governed by the rules themselves of the authority requested.
78.2 The requesting authority of the collaboration responds exclusively for the legality of the request and for the use of its results. The requested authority is responsible for the execution of the collaboration carried out.

Article 79 ° .- Costs of the collaboration.

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

to the guna
79.2 At the request of the authority requested, the authority applicant of another entity will have to pay to it the cost effective realized when the shares are found outside of the scope of activity ordinary of the entity.

Subchapter IV
Conflicts of competition and abstention

Article 80 ° .- Control of competition
Received the request or the provision of authority superior, according to the case, to initiate one procedure, the authorities of trade must ensure of their own competence to proceed with the regular development of the procedure, following the criteria applicable to the case of the matter, the territory , the time, the degree or the cu Antía.

Article 81.- Conflicts of competition

81.1 The incompetence can be declared of its own motion, one time valued according to the article above or at the request of those administered by the body that knows of the matter or by the superior hierarchical.
81.2 In any case, the levels lower can sustain competition with one superior owing, in all cases, explain the reasons for the discrepancy.

Article 82.- Decline of competence

82.1 The organ administrative that are deemed incompetent for the processing or resolution of one issue refers directly the actions to the body that it considers appropriate, with knowledge of the administered.
82.2 The organ that accepts its jurisdiction, at the request of party and even before that another take, may take the measures precautionary measures necessary to avoid damage

serious or irreparable to the entity or to the managed, communicating to the body c ompetente.

Article 83 ° .- Conflict negative of competition
In case of arise conflict negative of competition, the record is elevated to the body immediately superior to that resolve the conflict.

Article 84 ° .- Conflict positive for competition

84.1 The body that is considered competent required for inhibition to the who is knowing of the affair, the which if they are in agreement, sends it acted to the authority requesting for it to continue the process.
84.2 In case of holding its jurisdiction the authority required, refer it acted to the superior immediately for that adjudicate the conflict.

Article 85.- Resolution of conflict of jurisdiction
In all conflict of jurisdiction, the body to whom was referred the dossier dictates resolution unappealable inside of the period of four days.

Article 86.- Competence to resolve conflicts

86.1 Compete resolve the conflict positive or negative of competence of one same entity, to the superior hierarchical common, and if not what any, to the holder of the e ntidad.
86.2 The conflict of jurisdiction between authorities of one same sector are determined by the head of it, and the conflicts between other authorities of the Branch Executive are solved by the Presidency of the Council of Ministers, by decision unmotivated; without being taken by the authorities in any case to the courts.
86.3 The conflicts of competition between other entities are resolved according to what we have the Constitution and the laws.

Article 87.- Continuation of the procedure
Then from resolved the conflict of jurisdiction, the body that prove competent to make the issue continues the process according to the state and retains all it acted, except that it not be legally possible.

Article 88 ° .- Causes of abstention
The authority that has power operative or whose opinions on the background of the procedure can influence in the sense of the resolution, should refrain from participating in the affairs whose competence will be allocated in the following ca sos:

1. If it is relative inside of the fourth degree of consanguinity or second of affinity with any of the administered or with their representatives, agents, with the managers of their companies, or to whom they provide services.
2. If you have had intervention as a consultant, expert or witness in the same proceedings, or if such authority any stated previously its apparently about the same, in way that could be understood to be had pronounced on the matter, unless the rectification of errors or the decision of the appeal of re consideration.
3. If you personally, or either your spouse or a relative inside of the fourth degree of consanguinity or second of affinity, hath interest in the matter of who is involved or in other similar, whose resolution can influence on the situation of the former.
4. When hath friendship intimate, hostility manifest or conflict of interests objective with any of the administered involved in the procedure, which is made patent by attitudes or made apparent in the pro procedure.
5. When hath or would have had in the last two years relationship of service or of subordination to any of the managed or third party directly

interested in the subject, or if you had to project one conclusion of business with any of the parties, even when there is concrete later.

Article 89 ° .- Promotion of the abstention

89.1 The authority that is found in any of the circumstances mentioned in the article above, inside of the two (2) days working next to him in which he began to learn the subject, or in which met the causal sobreviniente, raises its abstention in writing reasoned, and sends it acted to the superior hierarchical immediately to the chairman of the superior hierarchical immediately to the chairman of the organ referee or to the full, as the case, for which no further processing, it pronounces on the abstention inside of the third day.
89.2 When the authority does not abstain in spite of the existence of any of the reasons stated, the administrator may make said situation known to the owner of the entity, or to the plenary, if it is a collegiate body , at any time.

Article 90 ° .- Provision top of abstention

90.1 The superior hierarchical immediately ordered, of its own motion, or on request of the run, the abstention of the agent incurso in some of the causes to which is referred the Article 89 ° of the present Law.
90.2 In this same act designates to whom continue to know of the matter, preferably between officials of equal rank, and will send the file.
90.3 When no any other authority public apt to know of the matter, the greater will opt for to enable to one authority ad hoc, or have that the incurso on grounds of abstention processed and resolved the matter under its direct supervision.

Article 91 ° .- Consequences of the no abstention

91.1 The involvement of the authority in the which concurs any of the grounds for abstention, does not mean necessarily the invalidity of the acts administrative in that it has intervened, except in the case in which resulting clear the impartiality or arbitrariness manifested or that had caused defenselessness to the administered.
91.2 Without prejudice to this, the upper hierarchy has the start of the actions of responsible administrative, civil or criminal against the authority that not be had refrained from intervening, knowing the existence of the causal.

Article 92 ° .- Procedure of abstention
The processing of one abstention will take place in via incidental, without suspending the time to solve or for you to operate the silence administrative.

Article 93.- Challenge of the decision
The resolution of this matter not is challengeable in office administrative, except the possibility of claiming the no abstention, as the basis of the resource administrative against the resolution ending.

Article 94.- Apartment of the authority abstenida
The authority that by effect of the abstention is apart of the process, cooperating to contribute to the speed of the attention of the procedure, without participating in meetings later or in the deliberation of the decision.

Subchapter
V
Collegiate
Bodies

Article 95.- Regime of the collegiate bodies

Are subjected to the provisions of the present paragraph, the operation internal of the bodies collegiate, permanent or temporary of the entities, including those in the which involved representatives of organizations union, social or economic non - state.

Article 96.- Authorities of the collegiate bodies

96.1 Each organ referee of the entities is represented by one President, in charge of ensuring the regularity of the deliberations and execute its agreements, and account with one secretary, in charge of preparing the agenda out, update and keep the minutes of the sessions , communicating the agreements, provide copies and other acts themselves of the nature of the charge.
96.2 In the absence of express denomination in the manner prescribed by the ordinance, the indicated positions are chosen by the collegiate body itself among its members, by absolute majority of votes.
96.3 In case of absence justified, may be replaced with character provisional by the alternate or, in his absence, by whom the referee choose between her my Embros.

Article 97.- Attributions of the members It corresponds to the members of the collegiate bodies :

1. Get with the advance reasonable, the call for the session, with the book containing the order of the day and the information enough about each subject, the way you can know the issues that should be discussed.
2. Participate in the discussions of the sessions.
3. Exercise your right to the vote and ask when it deems necessary to its vote singular as well as express the reasons that so justify. The basis of one vote singular can be performed at the same time or delivered by writing until the day following.
4. To make requests of any kind, in particular , to include issues on the agenda and ask questions during the debates.
5. Receive and obtain a copy of any document or record of the sessions of the collegiate body .

Article 98 ° .- Regime of the session

98.1 Every referee will meet ordinarily with the frequency and in the day that indicate your order; and a lack of both, when he so agrees.
98.2 The convening of the bodies collegiate corresponds to the President and must be notified together with the schedule of the order of the day with one advance reasonable, except the sessions of urgency or periodic on date fixed in that may be obviated the call.

98.3 No , however, is validly constituted without fulfilling the requirements of summons or order of the day, when you are together all its members and agreed by unanimity start the session.
98.4 Begun the meeting, not may be the subject of agreement any matter outside of the order of the day, unless they are present all the members of the board referee and approved by the vote unanimous the inclusion, in reason for the urgency of adopting agree 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 components.
99.2 If not exist quorum for the first session, the body is constituted in second convocation the day following of the marked for the first, with one quorum of the third part of the number legal of its members, and in all cases, in number not less to three.
99.3 Installed one session may be suspended only by force majeure, with a charge to continue it on the date and place to be specified at the time of suspend. To not be possible to indicate at the same meeting, the Presidency convenes the date of resumption notice to all the members to advance reasonable.

Article 100.- Quorum for voting

100.1 The agreements are adopted by the votes of the majority of attendees at the time of the vote in the session respectively, except that the law expressly set one rule differently; corresponding to the presidential vote casting vote in case there is a tie.
100.2 The members of the body gives that express a vote differently to the majority should make recorded in the minutes its position and the reasons which the warrant. The Secretary shall record this vote in the minutes together with the decision adopted. 100.3 In case of bodies collegiate advisory or informants, to the agreement majority has accompanied the vote singular to any.

Article 101 ° .- Obligation of the vote

101.1 Unless provision legal in contrast, the members of bodies collegiate attendees to the meeting and not impeded by law to intervene must affirm its position on the proposal in debate being banned inhibited from voting.
101.2 When the abstention of voting is authorized by law, such position shall be substantiated in writing.

Article 102 ° .- Minutes of session.

102.1 In each session is lifted one act, which contains the indication of the attendees, as well as of the place and time in which it has been made, the points of deliberation, each agreement by separate, with indication of the shape and direction of the votes of all the participants.

The agreement clearly expresses the meaning of the decision taken and its rationale.
102.2 The record is read and submitted to the approval of the members of the body gives to the end of the same session or at the beginning of the next, can not however the Secretary to certify the agreements specific and approved, as well as the full authorizing the execution immediate of what was agreed
102.3 Every act, then of approved, it is signed by the Secretary, the President, for those who have voted singularly and by whom and what request.

CHAPTER III

Initiation of the procedure

Article 103.- Forms of initiation of the procedure
The procedure administrative is promoted to office by the body competent or instance of the managed, except that by available legal or for the purpose corresponding be initiated solely of office or at the request of the person concerned.

Article 104.- Start of Office

104.1 For the start of office of one procedure should be available to authority higher than the substantiate in this sense, one motivation based on the fulfillment of one duty legal or the merit of one complaint.
104.2 The start of trade of the procedure is notified to the administered certain whose interests or rights protected may be affected by the acts to perform, except in case of control back to applications or to its documentation, welcome to the presumption of veracity. The notification includes the information on the nature, scope and to be expected, the term estimate of its duration, as well as of their rights and obligations in the course of such action. 104.3 The notification is made immediately after the issued the decision, except that the law authorizes to be deferred by its nature confidential based on the interest public.

Article 105.- Right to file complaints

105.1 Every administration is empowered to communicate to the competent authority those facts that are known contracts to the system, without the need to support the immediate affectation of any legitimate right or interest , nor that by this action it is considered subject of the procedure.
105.2 The communication must clearly state the relation of the facts, the circumstances of time, place and manner that allow its verification, the indication of its alleged authors, participants and victims, the contribution of the evidence or its description so that the administration proceeds to its location, as well as any other element that allows its verification.

105.3 The presentation requires to practice the proceedings preliminary necessary and, one again proven its credibility, to begin to craft the respective control. The rejection of a complaint must be motivated and communicated to the complainant, if it were individualized.

Article 106.- Right of administrative petition

106.1 Any administered individually or collectively, can promote by writing the beginning of one procedure administrative to all and any of the entities exercising the right of petition recognized in the article 2nd paragraph 20) of the Constitution Public of the State.
106.2 The right of administrative petition includes the powers to submit applications in the private interest of the administrator, to make requests in the general interest of the community , to contradict administrative acts , the powers to request information, to formulate consultations and to submit requests for grace. 106.3 This right implies the obligation to give to the interested one answer by writing within of the term legal.

Article 107.- Application in the private interest of the administrator
Any administered with capacity legal has the right to appear personally or be represented before the authority administrative, to apply by writing the satisfaction of its interest legitimate, obtain the statement, the recognition or granting of one law, the evidence of one fact, exercising one faculty or formulate legitimate opposition.

Article 108th .- Application in interest overall in the community

108.1 The persons natural or legal may submit petition or counter acts against the authority of administrative jurisdiction, citing the interest diffuse of the so ciedad.
108.2 understands this faculty the ability to communicate and get answer about the existence of problems are obstacles or barriers regulatory or from the practical administrative which affect the access to the bodies, the relationship with administered or the fulfillment of the principles procedural, as well as to present any suggestion or initiative aimed at improving the quality of the services, increasing the performance or any other measure that involves one better level of satisfaction of the company with respect to the services public.

Article 109.- Faculty of administrative contradiction

109.1 Faced with one act which implies that violates, affects unknown or injures one right or one interest legitimate, comes the contradiction in the way management in the manner provided in this Act, to which it is revoked, modified, canceled or be suspended its effects .
109.2 In order that the interest can justify the ownership of the administered, must be legitimate, personal, current and proven. The interest can be material or moral.
109.3 The reception or attention of a contradiction can not be conditioned to the previous fulfillment of the respective act .

Article 110 ° .- Faculty of request information

110.1 The right of petition includes the to request the information that work in power of the institutions, following the regime envisaged in the Constitució n and the Law. 110.2 The entities establish mechanisms of attention to the requests for information specific and provide for the supply of office to the stakeholders, including via telephone from the information generally on the issues of interest recurring to the public.

Article 111th .- Faculty of formulating queries

111.1 The right of petition includes the consultation by writing to the authorities administrative, on the subject to his office and the meaning of the regulations in force that includes its actions, particularly those issued by the own entity. 111.2 Each entity attributed to one or more of its units competence to acquit the consultations on the basis of the precedents of interpretation followed in it.

Article 112 ° .- Faculty of formulating requests for grace

112.1 For the faculty of making requests of grace, the administered may apply to the owner of the entity responsible the issuance of one act subject to its discretion or to their free appreciation, or provision of one service when no account with another title legal specific to allow demand it as a request in private interest .
112.2 Faced with this request, the Authority communicates to the managed the quality gratia of the request and is served directly by the provision effective of the request, unless provision expressed in the law that provides for one decision formally to its acceptance.
112.3 This right is exhausted with their exercise in the way administrative, without prejudice to the exercise of other rights recognized by the Constitution.

Article 113.- Requirements of the briefs
All it is written to be present before any entity must contain the following:

1. Names and surnames complete, address and number of Document National of Identity or card for aliens of the administered, and in his case, the quality of representative and of the person to whom represent.
2. The expression concrete of the order, the fundamentals of the fact that it supports and,
when it will be possible, those of law.
3. Place, date, signature or fingerprint , in case of not knowing how to sign or be prevented.
4. The indication of the organ, the body or the authority to the which is directed understood by such in as possible, to the authority of degree more closer to the user, according to the hierarchy, with competition to meet and resolve.
5. The address of the place where you wish to receive the notifications of the procedure, when it is different to the registered actual exposed in virtue of the numeral 1. This marking of address Surte their effects from their indication and is presumed subsistent, while not be communicated expressly its change .
6. The relationship of the documents and annexes that accompanies indicated in the TUPAs.
7. The identification of the record of the subject, in the case of procedures already in iciados.

Article 114.- Copy of writings

114.1 The writing is presented on paper simply accompanied by one copy under and legible, except that it may be one number higher to notify a third party. The copy is returned to the run with the signature of

the authority and the stamp of receipt to indicate date, time and place of presentation.

114.2 The charge thus issued has the same legal value as

the original. Article 115.- Representation of the

administrator

115.1 For the processing ordinary of the procedures, is required to generally formalized by a simple designation of person some in the writing, or crediting one letter power with signature of the administered.
115.2 For the withdrawal of the claim or of the procedure benefit to the forms of termination conventional of the procedure or, for the collection of money is required to special indicating specifically the or the acts for the which was conferred. The special power of attorney is formalized at the election of the administrator, through a private document with legalized signatures before a notary or public official authorized for this purpose, as well as by means of a statement in the personal appearance of the administrator and representative before the authority.
115.3 The use of the representation does not prevent the intervention of the administrator himself when he considers it pertinent, nor the fulfillment by him of the obligations that require his personal appearance according to the norms of the present Law.

Article 116.- Accumulation of applications

116.1 In case of being several the managed interested in obtaining one same act administrative without interest incompatible, may appear together by means of one single letter, forming one single file.
116.2 can accumulate in one single written more than one request provided that it is concerned with matters related to permit processed and solved together, but no approaches subsidiary or alternative.
116.3 If a judgment of the authority administrative not exist connection or there inconsistency between the requests raised in one written, it will give notice to that present requests for separate, under warning of proceeding of its own motion to sustanciarlas individually whether they be separable, or in its defect have The abandonment of the procedure.

Article 117.- Document reception

117.1 Each entity has its unit General of receiving documentary procedure documented or table of parties, except when the entity provides services in several properties located in areas different, in which case corresponds open in each Local records ancillary to the principal, on which report all register they carry. 117.2 Such units are in charge of keeping a record of the entry of the documents that are submitted and the output of those documents issued by the entity addressed to other bodies or administered. For the purpose, issued the office, practice the seats respective respecting their order of entry or

exit, indicating the number of income, nature, date, sender and recipient. Once the registration is completed, the writings or resolutions must be sent the same day to their recipients.
117.3 Such units tend to manage their information in support computer, cautioning its integration into one system only to process documented.
117.4 also to through of these units the administered perform all the steps relevant to their procedures and obtain the information that require for that purpose.

Article 118 ° .- Rules for celerity in the reception
The entities adopt the following actions to facilitate the personal reception of the writings of the administrators and avoid their agglomeration:

1. The putting into effect of programs of rationalization of the time of care per user and the increased provision simultaneous of servers dedicated exclusively to the attention of the users.
2. The service of advice to the users to complete forms or model of documents.
3. Adjust the regime of hours working for the attention to the public, in order to adapt it to the forms provided in the Article 137 °
4. Study the seasonality of the demand for their services and dictate the measures preventive to avoid it.
5. Install mechanisms of self to allow to the users to supply directly its information, tending to the use of levels advanced of di gitalización.

Article 119th .- Rules General for the reception documentary
The writings that the administered directed to the entities may be presented by way staff or to through the third, to the units of receipt of:

1. The bodies administrative to the which are directed.
2. The decentralized organs of the entity.
3. The political authorities of the Ministry of Interior in the corresponding constituency .
4. In the offices of mail, in the manner expressly provided in this Act.
5. In the representations diplomatic or offices consular in the overseas case of administered residents in the exterior, who derived the writings to the institution competent, with indication of the date of its submission.

Article 120 ° .- Presentation by mail certified

120.1 The administered can submit their writings, with collections full, by mail certified with acknowledgment of receipt to the institution competent, the that slogan in his record the number of the certificate and the date of receipt.
120.2 The administered exhibits at the moment of his office 's written in on open and caution that the agent Zip print your stamp dater both in his

writing and in the envelope.
120.3 In case of doubt, should estarse to the date of the stamp printed on the writing, and, in his absence, to the date of receipt by the entity.
120.4 This modality does not fit for the presentation of administrative resources or in trilateral procedures .

Article 121.- Reception by alternative means

121.1 The managed that reside outside of the province where is located the unit of reception of the entity responsible may submit the written directed to other units of the entity by intermediate of the organ decentralized located in your place of residence.
121.2 When the entities not available for services devolved in the area of residence of the run, the writings can be presented in the offices of the authorities policies of the Ministry of the Interior of the place of his domicile. 121.3 Inside of the twenty four hours immediate following; These units remit what they received to the recipient authority by any expeditious means at their disposal, indicating the date of their presentation.

Article 122 ° .- Presumption common to the means of receiving alternative to the effects of expiry of deadlines, is presumed that the writings and communications submitted to through of the mail certificate of the organs
deconcentrated and of the authorities of the Ministry of the Interior, have entered into the entity addressed in the date and time in which they were handed over to any of the units identified.

Article 123 ° .- Reception for transmission of data to remote

123.1 The administered may request that the sending of information or documentation that will correspond receive inside of one procedure is performed by means of transmission to distance, such as e - mail or f acsímil.
123.2 Whenever we count with systems of transmission of data to distance, the entities facilitate their employment for the receipt of documents or applications and remission of their decisions on the run.

123.3 When is used means of transmission of data to remote, must be presented physically inside of the third day the written or the resolution respectively, with which compliance is you will understand received on the date of delivery of the e - mail or facsimile

Article 124th .- Obligations of units of reception

124.1 The units of receiving documentary directed to the administered in the submission of their applications and forms, being obliged to receive them and give them entry to start or boost the procedures, without which in any case can qualify, deny or defer their admission.
124.2 Whoever receives the applications or forms should record under his signature in the own writing, the time, date and place in which it

receives, the number of folios it contains, the mention of the documents accompanied and of the copy submitted. As proof of receipt, it is given the copy submitted filled out with the annotations respective and registered, without prejudice to other modalities further, that by reason of the proceeding is appropriate to extend.

Article 125.- Observations on documentation submitted

125.1 must be received all the forms or written presented, not however breaching the requirements laid down in the present Act, which not are accompanied by the revenues corresponding or are found affected by other defect or omission formally provided for in the Tupa that warrant correction. In one single act and for one time, the unit of receipt at the time of his presentation makes the observations for breach of requirements that not to be saved from office, inviting to the administered to address them within the one - term maximum of two days working.
125.2 The observation should be noted under signature of the receiver in the application and in the copy that retain the managed, with the arguments respective if the any, indicating that, if so no it did, it will by not presented its pe tición.
125.3 While it is pending the correction, are applicable to the following rules:

125.3.1 not be the computation of time for that operates the silence administrative, or for the submission of the application or the appeal.
125.3.2 not be the approval automatic of the procedure administrative, of be the case
125.3.3 The unit is not pursuing the application or the form to the agency responsible for their actions in the procedure

125.4 After the deadline without that occurs the correction, the entity considers as not submitted the application or form and the return to their collections when the person concerned is enters a case to claim them , reimbursing the amount of the rights of processing that had paid.

Article 126 ° .- Rectification documentary

126.1 logged in the written or made the correction properly, is considered received a from of the document original, except that the procedure conferring priority registration or be treated in one procedure trilateral, in which case the display operates at starting of the correction.
126.2 If the administrator timely corrects the omissions or defects indicated by the entity, and the written or form was objected again due to alleged new defects, or to commissions existing from the initial writing , the applicant may, alternatively or in addition, file a complaint
at the top, or correct your documents according to the new guidelines of the fun tionary.

Article 127.- Regime of notaries
When you establish requirements for authentication of documents the run will go to the regime of fedatarios that is described in below:

1. Each entity designated fedatarios institutional attached to their units to receive documentary, in numbers proportionate to their needs for care, who, without exclusion of their work routine, provide free their services to the managed.
2. The notary has as work extremely personal, verify and authenticate, preliminary comparison between the Original which displays the managed and the copy presented, the fidelity of the content of this latter for its use in the procedures of the entity, when in the performance management is required the aggregation of the documents or the given desired aggregates as test. Also may, at request of the administered certify signatures prior verification of the identity of the subscriber, for the proceedings administrative concrete in which it is needed.
3. In case of complexity derived from the cluster or of the nature of the documents to authenticate, the office of procedure documentario consultation with the administered the possibility of retaining the original, for him which is issued one record of retention of the documents to the managed, by the maximum term of two business days , to certify the corresponding reproductions. Once this is completed, it returns the mentioned originals to the administrator .
4. The entity may require in any state of the procedure the display of the Original presented to the authentication by the notary.

Article 128 ° .- Potestad administrative to authenticate acts themselves
The ability to perform authentications attributed to the fedatarios not affect the power management of the authorities to give faith to the authenticity of the documents that they themselves have issued.

Article 129 ° .- Ratification of signature and of the content of written

129.1 In case of doubt about the authenticity of the signature of the administrator or lack of clarity about the ends of his request, as a first action, the authority can notify him so that within a reasonable period of time he ratifies the signature or clarifies the content of the document, without prejudice of the continuation of the procedure.
129.2 The ratification may make the administered both by writing or apersonándose to the entity, in which case it will raise the minutes respectively, which is added to the exp ediente.
129.3 should the improvement of the request for part of the run, in the cases to which it refers this article.

Article 130.- Presentation of writings before incompetent organizations

130.1 When a request that is deemed to be the competence of another entity is entered , the recipient must send it to the one she considers competent, communicating said decision to the administrator.
130.2 If the company appreciates their incompetence but do not meet certain about of the entity responsible, notify such situation to the administered to that adopted the decision more convenient to your right.

CHAPTER

IV

Deadlines

and

Terms

Article 131 ° .- Obligation of deadlines and terms

131.1 The deadlines and terms are understood as maximum, they are computed independently of any formality, and forced by the same to the administration and to the administered, without need of urgency, in that they respectively their concerns.

131.2 Every authority must comply with the terms and time limits to his office, as well as monitor that the subordinates comply with the own of their level.
131.3 is the right of the administered to demand the fulfillment of the deadlines and terms established for each performance or service.

Article 132 ° .- Deadlines maximum to perform acts procedural
A lack of time established by law expresses the performances should occur inside of the following:

1. For receipt and referral of a letter to the competent unit : within the same day of its presentation.
2. For acts of mere processing and deciding requests of that nature: in three days.
3. For issuance of opinions, surveys, reports and the like: in the seven days after the request; It can be extended to three days more if the diligence requires the transfer out of your seat or the assistance of third parties.
4. For acts of office of the administered required by the authority, as delivery of information, answer to the questions on the which must rule within of the ten days of requested.

Article 133.- Start of computation

133.1 The term expressed in days is counted to starting of the day business next to that in which you practice the notification or the publication of the act, except that this point one day later, or that is necessary to make publications successive, in which case the computer is started to starting from the last.
133.2 The term expressed in months or years is counted in from of the notification or of the publication of the respective act, except that it provided time later.

Article 134 ° .- course of the term

134.1 When the time is indicated by days, it is understood by working consecutive, excluding from the calculation those not working for the service, and the holidays not working to order national or regional.
134.2 When the last day of the period or the date given is unskillful or by any other circumstance the attention to the public that day will not operate during the hours normal are understood carried forward to the first day clever following.
134.3 When the period is set in months or years, it is counted from date to date, concluding the day equal to the month or year that

began, completing the number of months or years set for the period. If in the month of expiration not any day equal to that in which began the computation, it is understood that the term expires the first day business of the following month calendar.

Article 135 ° .- Term of the distance

135.1 In the computation of the deadlines established in the procedure administrative, is added to the end of the distance provided between the place of residence of the administered within of the territory national and the location of the unit of receiving more fenced to one empowered to carry to carry the respective performance.
135.2 The table in terms of the distance is approved by the authority c ompetente.

Article 136.- Non- extendable deadlines

136.1 The deadlines set by express rule are non-extendable, unless otherwise provided.
habilitante in hand.
136.2 The authority competent may grant an extension to the deadlines established for the performance of tests or for the issuance of reports or opinions, as well as request prior to its expiration the run or the officials, res pectively.
136.3 The extension is granted for only once by decision expressly provided

that the deadline will not have been harmed by cause imputable to whom the request and provided that this does not affect rights of third parties.

Article 137th .- Regime for days unskillful

137.1 The Power Executive fixed by decree supreme inside of the sphere geographical national or any particular the days unskillful, with effect from the computation of deadlines adm inistrative.
137.2 This rule must be published previously and spread permanently in the environments of the institutions, in order to allow their knowledge to the ad ministered.
137.3 The entities not be unilaterally disabling days, and even in case of force greater than prevent the regular functioning of its services, must ensure the maintenance of the service of the unity of receiving documentary.

Article 138 ° .- Regime of the hours working
The schedule of attention of the entities for the performance of any action is governed by the following rules:

1. Are hours working the corresponding to the time set for the operation of the entity, without that in any case the attention to the users may be less to eight hours a day in a row.

2. The schedule of daily attention is established by each entity fulfilling a period not coinciding with the ordinary working day , to favor the fulfillment of the obligations and actions of the citizenship. To this effect, distributes its staff in turn, fulfilling days no older than eight hours di arias.
3. The hours of care is continued to provide its services to all the matters of their competence, without fractionate to attend some on certain days or hours, or affect their development for reasons personal.
4. The schedule of attention concludes with the provision of the service to the last person
compareciente inside of the schedule skillful.
5. The acts of nature continuous initiated in time business are completed without affecting its validity later in the schedule of attention, except that the given consent in deferring.
6. In each service governs the time followed by the entity; in case of doubt or a lack of that, must be verified in the act, if it were possible, the hour official, who
p will revalue.

Article 139 ° .- Calculation of calendar days

139.1 In the case of the deadline for the compliance of acts procedural inmates in charge of the entities, the standard legal can establish that your computer is on days calendar, or that the term expires with the conclusion of the last day even when it was a holiday.
139.2 When one law point out that the computation of the period for one act procedural in charge of the administered either in days calendar, this circumstance he is warned expressly in the notice.

Article 140.- Effects of the term expiration

140.1 The term expires the last moment of the day deft fixed, or early, if prior to that date are fulfilled the performances for the which it was established. 140.2 Upon expiration of a non - extendable term to carry out an action or exercise a procedural power , prior warning, the entity declares the right to the corresponding act declined , notifying the decision.
140.3 The expiration of the term to fulfill an act in charge of the Administration, does not exempt from its established obligations according to public order . The performance management outside of term not is affected by nullity, except that the law expressly so it provided by the nature peremptorily of the term.

140.4 The preclusion by the expiration of time administrative operates in procedures trilateral, COMPETING, and in those that by exist two or more managed with interests divergent be asegurárselas treatment pa ritario.

Article 141.- Advancement of deadlines
The authority in charge of the instruction of the procedure by irrecurrible decision , can reduce the terms or anticipate the

terms, directed to the administration, attending to reasons of opportunity or convenience of the case.

Article 142 ° .- Deadline maximum of the procedure administrative
No can exceed of thirty days the period that has elapsed since that is initiated one procedure administrative of assessment prior to that in which it dictated the resolution respectively, except that the law establishes procedures whose compliance requires one length greater.

Article 143.- Liability for breach of deadlines

143.1. The unjustified breach of the deadlines provided for the actions of the entities generates disciplinary responsibility for the obligated authority ,
without prejudice to the responsibility civil for the damages and damages that could have or casionado.
143.2. Also it reached jointly the responsibility to the superior hierarchical by default in the supervision, if the breach was repetitious or systematic.

CHAPTER V

Management of the Procedure
Article 144.- Unit of view
The procedures administrative will develop in trade, in so simple and effective without recognizing forms certain, phases procedural, moments procedural rigid to perform certain actions or respond to precedence between them, unless provision expressed in contrary to the law on procedures special.

Article 145.- Impulse of the procedure
The authority competent, even without request of party, should promote all actions that were necessary for its processing, overcome any obstacle that is opposed to a regular processing of the procedure; determine the rule applicable to the case even if the legal appointment has not been invoked or was wrong ; so as to avoid the obstruction or delay to cause the proceedings unnecessary or merely formal, adopting the measures necessary to eliminate any irregularity produced.

Article 146 ° .- measures precautionary

146.1 Initiate the procedure, the authority competent by decision motivated and with elements of judgment sufficient may adopt, temporarily under its responsibility, the measures precautionary established in this Act or other provisions legal applicable, by decision founded, if there possibility of that without their adoption the effectiveness of the resolution to be issued is risked . 146.2 The measures precautionary may be modified or lifted during the course of the procedure, of its own motion or at the request of party, in virtue of circumstances supervening or that not could be considered at the time of its adoption.
146.3 The measures expire on full law when it issued the resolution that puts an end to the procedure, when has passed the deadline set for its implementation, or for the issuance of the resolution that puts an end to the procedure.
146.4 not be able to dictate measures that may cause damage to impossible to repair to the administered.

Article 147.- Issues other than the main issue

147.1 The issues that raise the administered during the processing of the procedure for ends different to the subject main, not suspending its advance, must be resolved in the resolution end of the request, unless provision expressed in contrary to the law.
147.2 Such issues, to which was substantiated in conjunction with the principal, can be raised and argued before of the allegation. After this time, they can be asserted exclusively in the resource.
147.3 When the law provides an early decision on the issues, for the purposes of its challenge, the resolution issued in these conditions is considered provisional in relation to the final act .
147.4 will be rejected of plane the approaches different to the issue of background that a criterion of the instructor not be linked to the validity of acts procedural, to the due process or to not be related to the claim, without prejudice to which the managed to raise the issue to the appeal against the resolution that concludes the instance.

Article 148 ° .- Rules for the celerity
To ensure the fulfillment of the principle of celerity of the procedures are observed the following rules:

1. In the impulse and handling of cases of one same nature, it follows strictly the order of income, and is solved as it will allow the state, giving account to the top of the reasons for delay in the fulfillment of the terms of law, that they not can be removed from office.
2. In one single decision will have the fulfillment of all the formalities required that by their nature may be, always and when not be found among themselves on subordinates in their fulfillment, and will focus on one same act all the proceedings and actions of tests possible , ensuring that the development of the procedure is performed in the lower number of acts procedural.
3. At the request procedures to be carried out by other authorities or those administered, must be recorded with date certain the term end to its compliance, as well as the warning, to be provided in the regulations.
4. In no case may the processing of the files or the attention of the service be affected by the absence, occasional or not, of any authority. The authorities that for reasons of leave, vacation or other reasons temporary or permanent will move away from its center of work, delivered to whom it replaced or to the
hierarchical superior , the documents and files in his charge, with knowledge of the administrators.
5. When is identical the motivation of various resolutions, it may use means of production in series, provided that not injure the guarantees legal of the administered; not yet be considered each one as act ind ependiente.
6. The authority competent to drive the process, you can entrust to a subordinate immediately the realization of measures specific to impulse, or request the collaboration of another authority for its realization. In the collegiate bodies , such action must fall on one of its members.
7. In any case the authority may claim shortcomings of the administered not advised to the submission of the application, as grounds for denying its pr Etension.

Article 149.- Accumulation of procedures
The authority responsible for the instruction, by its own initiative or at the request of the run, has by resolution unappealable the accumulation of the procedures in process to keep connection.

Article 150 ° .- Rule of record only

150.1 Only you can organize one record to the solution of one same case, to keep together all the actions to resolve.
150.2 When is question of application referred to one single claim, are processed one single file and intervene and solve one authority, which shall obtain from the bodies or other authorities the reports, authorizations and agreements that are necessary, without prejudice to the right of the administered to urge for self themselves the procedures relevant and to provide the documents relevant.

Article 151.- Documentary information
The documents, records, forms and records administration, is uniform in its presentation to which each species or type of the same meet features ig ual.

Article 152.- External presentation of files

152.1 The records are collated following the order regulating of the documents that you make up, forming bodies correlative that no excess of two hundred pages, except when such limit forced to split writings or documents that constitute one single text, in which case will keep your unit.
152.2 All the performances should foliarse, staying well during its processing. The files that are incorporated into others do not continue their foliage, leaving a record of their aggregation and their number of sheets.

Article 153.- Intangibility of the file

153.1 The content of the file is intangible, not being able to introduce erasures, alterations, entrelineados or aggregates in the documents, one once they have been signed by the authority competent. To be necessary, it must be left on record expressing and details of the modifications introduced. 153.2 The breakdowns can be requested verbally and are granted on the record of the instructor and the applicant, indicating date and folios, leaving an authenticated copy in the corresponding place , with the respective foliage .
153.3 The entities may use technology to microforms and media computer for the file and processing of records, providing the assurances, incorruptibility and integrity of their content, in accordance with the regulations of the matter.

153.4 If one record is astray, the administration has the obligation, under the responsibility of rebuilding the same, regardless of the request of the interested party , to such effect will be applied, in which it will be applicable, the rules contained in the Article 104 ° of the Code Civil Procedure

Article 154.- Use of forms

154.1 The entities have the use of forms of free reproduction and distribution free of charge, by the which the run, or a server to your order, completing data or marking alternatives raised provide the information usual it is estimated sufficient, without need d and another document of presentation. Particularly it is used when the administered should provide information to meet requirements legal and in the procedures of approval automatically.
154.2 also are used when the authorities must resolve one number large of records homogeneous, as well as for the actions and resolutions recurring, which are authorized previously.

Article 155.- Models of recurring writings

155.1 A title information, the institutions put at the disposal of the managed models of the writings of employment more recurrent in their services.
155.2 In no case is considered mandatory the subject of these models, and their employment can cause adverse consequences for those who use them.

Article 156.- Preparation of minutes
The statements of the run, witnesses, experts and the inspections will be documented in one act, whose development will follow the following rules:

1. The record indicates the place, date, names of the participants, the subject of the action and other circumstances relevant, must be formulated, read and signed immediately after of the performance, by the respondents, the authority administrative and by the participants who wanted to stating its manifestation.
2. When the statements or actions WHATSOEVER recorded, by agreement between the authority and the administered, the certificate can be completed inside of the fifth day of the act, or to be the case prior to the decision to end.

Article 157th .- Measures of security Documentary
The entities apply the following measures of security Documentary:

1. Set one system only for identification of all the writings and documents admitted to it, to understand the numbering progressive and the date, as well as will save one numbering invariable for each record, which will be preserved to through of all the performances successive any were the bodies or authorities of the body that is involved.

2. Save the records of notification, publication or delivery of information on the events, acknowledgment of receipt and all the documents necessary to prove the completion of the proceedings, with the certification of the instructor on their due cum - compliance.
3. On the cover must be entered the body and the name of the authority with the responsibility in charge of the procedure and the date of the term end to the attention of the record.
4. In no case will make one double or false record.

Article 158 ° .- Complaint by defects in processing.

158.1 At any time, the run may make complaint against the defects of processing and, in particular, those that involve paralysis, violation of the deadlines established by law, breach of the duties functional or omission of steps that must be corrected prior to the decision final of the matter in the respective instance .
158.2 The complaint was presented to the superior hierarchical of the authority that handles the procedure, citing the duty breached and the standard that it requires. The authority superior resolve the complaint within of the three days following, before transfer to the complained to order for you to submit the report it deems appropriate to the day following the request.
158.3 In no case will suspend the processing of the procedure in which has been filed complaint, and the resolution will be unappealable.
158.4 The authority that knows of the complaint may have reasoned that another official of a similar hierarchy to the complained assume the knowledge of the matter. 158.5 In case of declared founded the complaint, will dictate the measures corrective relevant with respect to the procedure and in the same resolution will have the start of the actions necessary to punish to the responsible.

CHAPTER VI

Instruction of the Procedure

Article 159 ° .- Acts of instruction

159.1 The acts of instruction necessary for the determination, knowledge and verification of the data in virtue of those which should rule the resolution, will be made of office by the authority to whose charge is processed the procedure

of assessment prior, without prejudice to the right of the administered to propose actions probative.
159.2 It is forbidden to carry out such acts of instruction the application routine of reports prior, requirements for visas or any other act that no contribution value target to what acted in the case specifically, according to its nature.

Article 160 ° .- Access to the information on the record

160.1 The managed, their representatives or their counsel, have right of access to the file at any time of the procedure, as well as to their documents, records, studies, reports and opinions, obtain certification of their status and obtain copies of the pieces that contain , previous payment of the cost of the same. Only those actions, proceedings, reports or opinions that contain information whose knowledge are excepted
it may affect your right to the privacy staff or family and the who specifically is excluded by law or for reasons of security national in accordance with the provisions in the paragraph 5) of the Article 20 ° of the Constitution Politics. Additionally is exempted the materials protected by the secrecy , bank tax, trade and industry, as well as all those documents that involve one pronouncement before by part of the authority competent.
160.2 The request for access may be made orally and is given to immediate, without need of resolution expresses, in the office in which you find the file, but not be the unit of reception documentary.

Article 161.- Allegations

161.1 The administered can at any moment of the process, make claims, provide the documents or other elements of judgment, the to be analyzed by the authority, to the resolve.
161.2 In the proceedings administrative sanction, or in case of acts of lien for the administered, is dictated resolution only when they had given one term peremptorily no less than five days to present their allegations or the corresponding evidence of discharge.

Article 162 ° .- Charge of the test

162.1 The burden of the proof is governed by the principle of momentum of trade established
in the present Act.
162.2 Corresponds to the Managed provide evidence through the submission of documents and reports, proposing expertise, testimonies, inspections and other measures allowed, or adduce arguments.

Article 163 ° .- Performance probation

163.1 When the administration does not have for certain the facts alleged by the administered or the nature of the procedure so requires, the entity has the performance of test, following the criterion of concentration procedure, setting one period that for the effect will not be less than three days nor more than fifteen numbered a from of his approach. Only you can reject motivadamente the means of testing proposed by the run, when not keep relation with the bottom of the matter are irrelevant or unnecessary.
163.2 The authority administrative notified to the run, with anticipation not less than three days the performance of test, indicating the place, date and time.
163.3 The evidence supervening can occur whenever that not is has issued resolution final.

Article 164.- Omission of probative action
The entities can dispense with performance of tests when deciding solely on the basis of the facts raised by the parties, if the have for certain and consistent for their resolution.

Article 165.- Facts not subject to probative action
Not be acted proof with respect to facts public or notorious, respect for facts alleged by the parties whose test consists in the files of the entity, on the that is has checked with occasion of the exercise of their functions, or subject to the presumption of veracity, without prejudice to its subsequent inspection .

Article 166.- Means of proof
The facts invoked or that are conducive to deciding a procedure may be subject to all the necessary means of proof , except those prohibited by express provision . In particular in the procedure administrative applicable:

1. Collect background and documents.
2. Request reports and opinions of any kind.
3. Grant a hearing to the administrators, question witnesses and experts, or seek of the same statements by writing.
4. Consult documents and minutes.
5. Practice eye inspections .

Article 167.- Request for documents from other authorities

167.1 The authority administrative to the that corresponds the handling of the matter shall request of the authorities directly responsible the documents existing or background that 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 administered to the instructor, you must indicate the entity where Obre the documentation and, if out of one file administrative obrante in another entity, must prove indubitably his ex istencia.

Article 168.- Presentation of documents between authorities

168.1 The documents and background to which was referred the article above should be forwarded directly by who is required within of the term maximum of three days if you request it within of the same entity, and of five in the other cases. 168.2 If the authority required deemed necessary one term more, it will manifest itself immediately to the applicant, with indication of the time it deems necessary, the which will not be able to exceed of ten days.

Article 169.- Request of evidence to the administered

169.1 The authority can demand to the managed the communication of information, the presentation of documents or goods, the submission to inspections of their property, as well as their collaboration for the practice of other means of proof. For the effect is pursuing the requirement mentioning the date, time, manner and conditions for its implementation.
169.2 The rejection of the requirement provided in the preceding paragraph shall be legitimate , when the subjection implies; the violation of the secrecy professional, one revelation prohibited by the law, assume directly the revelation of facts prosecutable practiced by

the administered, or affect the rights constitutional. In any case this exception covers the distortion of the facts or of the reality.
169.3 The placement of this exception will be freely appreciated by the authority according to the circumstances of the case, without which it dispenses to the body administration of the search of the facts and to issue the corresponding re solution.

Article 170 ° .- Regulations extra

In what is not provided for in this section, the documentary evidence will be governed by the Articles

40 ° and 41 ° of the present Law.

Article 171.- Presumption of the quality of the reports

171.1 The reports administration may be mandatory or optional and binding or non - binding.
171.2 The opinions and reports are presumed to be optional and not binding, with the exceptions of law.

Article 172.- Request for reports

172.1 The entities only request reports that are mandatory in the legislation or those who deemed absolutely indispensable for the clarification of the issue to resolve. The request must indicate with precision and clarity the issues on the that are deemed necessary to its pronouncement.
172.2 The request for reports or legal opinions is reserved exclusively for matters in which the legal basis of the claim is reasonably debatable, or the facts are legally controversial , and that such situation can not be elucidated by the instructor himself .
172.3 The informant inside of the two days of receipt can be returned without report all records in the that the order fails to comply with the paragraphs above, or when it is appreciated that only is required confirmation of other reports or of decisions and ado ptadas.

Article 173.- Presentation of reports

173.1 Any authority, when formulated reports or projects of resolutions based his opinion on how succinct and provides conclusions express and clear about all the question raised in the application, and recommends specifically the courses of action to follow, when they apply, suscribiéndolos with his signature habitual, consigning his name, surname and position. 173.2 The report or opinion not incorporated into its text the extract of the actions above or repeats data that Obren on record, but refer for its Folio all precedent that allows illustrate for the best resolution.

Article 174.- Omission of report

174.1 If the report is not received within the aforementioned term , the authority may alternatively, depending on the circumstances of the case and administrative relationship with the informant: dispense with the report or cite the informant so that on a single date and in one session, to the which can assist the administered, present their apparently verbally, in the which he will prepare the minutes to be attached to the file, without prejudice to the responsibility in that incurred the official blame for the delay. 174.2 The Law can establish explicitly in procedures initiated by the managed that of not received reports binding in the term legal, be understood that not there objection technical or legal to the approach subjected to its p arecer.
174.3 The report submitted extemporaneously may be considered in the corresponding resolution.

Article 175.- Witnesses

175.1 The proposer of the evidence of witnesses has the burden of the hearing of the same in the place, date and time set. If the witness did not attend without fair cause, his testimony will be dispensed with .
175.2 The administration can interrogate freely to the witnesses and, in case of statements contradictory, may have careos, even with the managed.

Article 176.- Expert report

176.1 The administered may propose the appointment of experts to the coast, must at the same time indicate the aspects technical of those that they should rule.
176.2 The administration will refrain from hiring experts for their part, must request reports technicians of any kind to your staff or to the entities techniques suitable for this purpose, preferably between the faculties of the universities public.

Article 177 ° .- Performance evidence of authorities public

The authorities of entities not lend confession, except in procedures internal to the administration; without prejudice to be capable of providing elements evidence in quality of witnesses, informants or experts, whether it be the c ase.

Article 178.- Expenses of evidentiary actions
In the case of that the performance of testing proposed by the given amount the realization of cost that not need support rationally the entity; it may require the deposit in advance of such costs, with charge to the winding end that the instructor will practice documentadamente to the administered one time made the pr obanza.

Article 179 ° .- Performances substantiating that affect a third

The third parties have the duty to cooperate for the test of the facts with respect to their rights constitutional.

Article 180 ° .- Project of resolution

When WHATSOEVER different the authority instructor of the jurisdiction to resolve the instructor prepares one report end in the which will collect the aspects most relevant to the act that it promoted, as well as one summary of the content of the instruction, analysis of the test educated, and formulate in its agreement one project of resolution.

CHAPTER VII

Participation of the administered

Article 181.- Open administration

In addition to the means of access to the participation in the affairs public established by other rules, on the instruction of the procedures administrative the entities are governed by the provisions of this Chapter of the audience to the administered and the period of information public.

Article 182.- Public hearing

182.1 The administrative rules 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 is conducted is likely to affect rights or interests whose ownership corresponds to indeterminate persons , such as in the medium environmental, public savings , cultural values ,
historical, rights of the consumer, planning urban and zoning; or when the pronouncement of authorizations, licenses or permits that the act enable impinges directly on services public.
182.2 In the public hearing any third party, without the need to prove special legitimation, is entitled to present verified information , to require the analysis of new evidence, as well as to express their opinion on the issues that constitute the object of the procedure or on the evidence

acted on Not be making inquiries to the authority in the audience.
182.3 The omission of completion of the hearing public entails the annulment of the act administrative end that is handed down.
182.4 The expiration of the deadline foreseen in the Article 142 ° of this Law, without which has been taken to place the hearing public, determines the operation of the silent administrative negative, without prejudice to the responsibility of the authorities obliged to his call.

Article 183 ° .- Call for public hearing

The call to hearing public should be published in the Diario Official or in one of the means of communication for greater dissemination locally, according to the nature of the matter, with one in advance not

less than three (3) days of its completion, must indicate: the authority convener, its object, the date, place and time of realization, the deadlines for registration of participants, the address and telephone of the entity convener, where it can make the registration will be access to more information on the matter, or submit allegations, Challenges and opinions.

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

184.1 The summons to the hearing not granted, by itself itself, the condition of participating in the procedure.
184.2 The non - attendance at the hearing does not preclude to the legitimated in the procedure as interested parties to submit allegations or resources against the re solution.
184.3 The information and opinions expressed during the public hearing are recorded without generating debate, and have a consultative and non- binding nature for the entity.
184.4 The authority instructor should explain, on the basis of his decision to do so has taken into account the views of the public and, in his case, the reasons for their dismissal.

Article 185 ° .- Period of the information public

185.1 When it is a matter of decision of the authority, any aspect of general interest other than those provided in the previous article where it is appreciated
objectively that the involvement of third parties not certain to contribute to the verification of any state information or for any exigency legal not evidenced in the record by the authority, the instructor opens one period not less than three nor more than five days working to receive - by the means most extensive possible - their demonstrations on the matter, prior to resolving the pro procedure.
185.2 The period of information public corresponds be called particularly prior to approving regulations administrative that affect rights and interests citizens, or to resolve about in the granting of licenses or authorizations to exercise activities of interest generally and to appoint officials in charge principal of the entities, or even in the case of any charge when it is required as an express condition to possess faultless conduct or any similar circumstance .
185.3 The call, development and consequences of the period of information public is still in the not provided in this Chapter, in what applicable; by the rules of public hearing .

CHAPTER VIII

End of Procedure
Article 186.- End of the Procedure

186.1 shall put an end to the proceedings the resolutions that are pronounced on the bottom of the matter, the silence Administrative positive, the silence administrative

negative in the case to which was referred the paragraph 4) of the Article 188 °, the withdrawal, the declaration of abandonment, the agreements adopted as a result of conciliation or transaction extrajudicial that have for object put an end to the procedure and the provision effective of the order to conformity of the administered in case of request graciable.
186.2 also put an end to the procedure the resolution that as well as declare for causes supervening to determine the impossibility of continuing it .

Article 187 ° .- Content of the resolution

187.1 The resolution that puts an end to the proceedings meet the requirements of the act administrative mentioned in the Chapter First of the Title First of the present Le y.
187.2. In the proceedings initiated at the request of the person concerned, the resolution will be consistent with the requests made by the latter, without which in any case could aggravate their situation initial and without prejudice to the power of the administration to begin to craft one new procedure, if applicable.

Article 188.- Effects of administrative silence

188.1 The 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 had elapsed , the entity would not have communicated to the administrator the pronouncement.
188.2 The Silence administration has for all the effects the character of resolution that puts an end to the procedure, without prejudice to the power of invalidity of trade provided for in the Article 202 ° of the present Law.
188.3 The silence Administrative negative has for effect to enable to the managed the interposition of the resources administrative and actions Judicial relevant. 188.4 Even when operating the silence administrative negative, the administration maintains the obligation to resolve, under responsibility, to which it will notify you that the matter has been submitted to knowledge of one authority court or the run has made use of the resources administration.
188.5 The silence Administrative negative not start the computation of deadlines and terms for their challenge.

Article 189th .- Abandonment of the procedure or of the claim.

189.1 The withdrawal of the proceedings will import the completion of the same, but not prevent it later again to consider the same claim in another pro procedure.
189.2 The withdrawal of the claim will prevent promote another procedure by The same object and cause.
189.3 The withdrawal only affect to whom it there Were formulated. 189.4 The withdrawal may be made by any means that allows its
constancy and pointing out its content and scope. It should be noted explicitly if it comes from one waiver of the claim or of the procedure. If there is accurate, it is considered that it is of one withdrawal from the procedure.
189.5 The withdrawal is able to perform at any time prior to that was notified the resolution end in the instance.
189.6 The authority will accept to plan the withdrawal and declare concluded the procedure, except that, having apersonado in the same third parties concerned, instasen them their continuation in the period of ten days since they were notified of the withdrawal.

189.7 The authority may continue to trade the procedure if in the analysis of the facts considered that could estarse affecting interests of third parties or the action raised by the initiation of the procedure Extranase interest general. In that case, the authority may limit the effects of the withdrawal to the interested party and continue the procedure.

Article 190 ° .- Withdrawal of acts and administrative resources

190.1 The withdrawal of any act performed in the procedure can be performed prior to that has produced effects.
190.2 may withdraw from one resource administration prior to that was notified the resolution end in the end, determining that the resolution contested remain firm, except that other administered will have acceded to the appeal, in which case only have effect for whom it was made.

Article 191 ° .- Abandonment in the proceedings initiated at the request of the ad ministered.

In the proceedings initiated at the request of part, when the administered breach any procedure that would have been required to produce their stoppage for thirty days the authority of its own motion or at the request of the administered declare the abandonment of the procedure. Said resolution must be notified and the pertinent administrative remedies will proceed against it .

CHAPTER IX

Execution of resolutions

Article 192.- Execution of the administrative act

The acts administrative shall character enforceable, unless available legal expresses in contrast, mandated court or which are subject to a condition or term according to law.

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

193.1 Except standard expressed in contrary, the acts administrative lose effectiveness and enforceability in the following cases:

193.1.1 By provisional suspension according to law.
193.1.2 When after five years old of acquired firmness, the administration does not have initiated the actions that will incumbent to run.
193.1.3. When it meets the condition paragraphs to which they were subject to

according to law.
193.2 When the managed object to the start of the implementation of the act Administrative the loss of their enforceability, the issue is resolved by way unappealable at headquarters administrative by the authority immediate superior, to exist prior report legal on the matter.

Article 194 ° .- Forced execution

To proceed to the execution forced to act administrative to through of their own bodies competent, or of the Police National of the Peru, the authority meets the following requirements:

1. That is question of one obligation to give, do or not do, established in behalf of the entity.
2. That the benefit be determined in writing in a clear and complete manner.
3. That such obligation derives from the exercise of an attribution of empire of the entity or comes from a relationship of public law sustained with the entity.
4. What will be required for the managed the compliance spontaneous of the provision, under warning of initiating the middle coercive specifically ap licable.
5. That no will try to act administrative that the Constitution or the law require the intervention of the Poder Judicial for its execution.

Article 195.- Notification of the act of initiation of execution.

195.1 The decision to authorize the execution management will be notified to its addressee before the beginning of the same.
195.2 The authority may notify the beginning of the execution successively to the notification of the act executed, provided that it is provided to the administrator to spontaneously comply with the provision under his charge.

Article 196.- Means of forced execution .

196.1 The forced execution by the entity shall be carried out always respecting the principle of reasonableness, by the following means.

a) Coercive execution .
b) Subsidiary execution .
c) Coercive fine
d) Compulsion of the people.

196.2 If it were several the means of implementation applicable, will choose the least restrictive of the freedom individually.
196.3 If it were necessary to enter to the home or to the property of the affected should be followed as foreseen by the paragraph 9) of the Article 20 ° of the Constitution Policy of the Pe rú.

Article 197 ° .- Execution coactiva

If the entity had to procure the execution of one obligation to give, do or not do, is follow the procedure provided in the laws of the matter.

Article 198 ° .- Execution subsidiary

There will be place to the execution subsidiary when you try to acts that by not being very personal can be made by subject other than the obligation:

1. In this case, the entity perform the act, by itself or to through to the people to determine, at the expense of the obligor.
2. The amount of the expenses, damages and damages is required pursuant to the provisions in the article above.
3. This amount will be settled in the form provisional and performed prior to the execution, or reserved to the settlement final.

Article 199th .- Fine coercive.

199.1 When so as to authorize the laws, and in the manner and amount that they determine, the entity may, for the execution of certain acts, impose fines enforcement; reiterated for sufficient periods to comply with the order, in the following cases:

a) acts very personal in that no appropriate the compulsion on the person of the ob linked.
b) acts in that, proceeding the compulsion, the administration not the deemed c onveniente.
c) Acts whose execution can the required order to another person.

199.2 The coercive fine is independent of the sanctions that may be imposed with such character and compatible with them.

Article 200 ° .- Compulsion on the people

The acts administrative to impose one obligation very personal to not do or support, they may be executed by compulsion on the people in those cases in which the law expressly so authorized, and always inside of the respect due to their dignity and to the rights recognized in the Constitution Politics.
If the acts were in compliance personnel, and not were executed, give place to the payment of the damages and damages that will occur, those that will be regularly j udicialmente.

TITLE III

Of the Review of
the Acts on Road
Administration.

CHAPTER

I

Review

of

Office

Article 201.- Rectification of errors

201.1 The errors materials or arithmetic in the acts administrative can be rectified with effect retroactively, at any time, of its own motion or instance of the managed, provided that no will alter it substantially in its content or the meaning of the decision.
201.2 The rectification adopts the forms and modalities of communication or publication that corresponds to the original act .

Article 202 ° .- Nullity of Office

202.1 In any of the cases listed in the Article 10 ° can declare of its own motion the nullity of the acts administrative, even when they have been firm, provided that grieve the interested public.
202.2 The invalidity of trade only can be declared by the official hierarchical superior to the who issued the act to be invalid. If you try for one act issued by one authority that not is subject to subordination hierarchical, the invalidity will be declared also by resolution of the same official.
202.3 The power to declare the nullity of office of the acts administrative prescribe to the year, counted on as of the date on which have been darlings. 202.4 In case of that has prescribed the term provided in the paragraph above, only be demanding the annulment before the Power Judicial via the process contentious administrative, provided that the demand will stand inside of the two (2) years following to count from the date in which he prescribed the power to declare the nullity in administrative headquarters .
202.5 The acts administrative issued by councils or courts governed by laws special competent to resolve disputes at last instance administrative, not may be subject to declaration of invalidity of trade. Only comes sue its annulment before the Power Judicial, via the process Contentious Administrative, provided that the demand will stand in for the three years old following a count from the date on which the act was signed.

Article 203 ° .- Revocation.

203.1 The acts administrative declarative or constituent of rights or interests legitimate not can be revoked, modified or substituted to trade for reasons of convenience, merit or convenience.
203.2 Exceptionally, fits the revocation of acts administrative, with effect to the future, in any of the following cases:

203.2.1 When the faculty revocation has been expressly established by one rule with rank legal and always to be met the requirements laid down in this standard.

203.2.2 When the disappearance of the conditions legally required for the issuance of the administrative act whose permanence is indispensable for the existence of the legal relationship created occurs .
203.2.3 When appreciating elements of judgment supervening is conducive legally to the recipients of the act and provided that no will generate damage to t erceros.

203.3 The revocation provided for in this paragraph only may be declared by the most high authority of the entity competent, prior opportunity for the potential involved to present their arguments and evidence in his favor.

Article 204 ° .- Irrevisabilidad of acts judicially confirmed

They will not be in any case revisable at headquarters administrative those acts which have been subject to confirmation by ruling legal firm.

Article 205.- Compensation for revocation

205.1 When the revocation origine prejudice economic to the administered, the resolution that the decides should see it convenient to carry out the compensation corresponding to headquarters administrative.
205.2 The acts incur in grounds for its revocation or invalidity of trade, but whose effects have expired or exhausted, shall be subject to compensation in based court, ready when remains firm administratively its revocation or to pelleting.

CHAPTER II

Administrative Resources

Article 206.- Faculty of contradiction

206.1 According to what stated in the article 108 °, compared to one act administration that is supposed violation, unknown or injures one right or interest legitimate, comes the contradiction in the way management by the resources administrative mentioned in the article below.
206.2 Only are challengeable the acts final that put an end to the instance and the acts of procedure to determine the impossibility of continuing the procedure or produce helplessness. The contradiction to the other acts of procedure must be invoked by those concerned for their consideration in the event that put an end to the proceedings and may be challenged with the resource administration which, in his case, it stands against the act definitively.
206.3 not be the challenge of acts that are reproduction of other previous that have remained firm, nor the of the Confirmatory of acts spoiled by not having been challenged in time and form.

Article 207.- Administrative resources

207.1 The administrative resources are:

a) Resources for reconsideration.
b) Resources of appeal.
c) Resources for review.

207.2 The term for the interposition of the resource is of fifteen (15) days peremptory, and should be resolved in the term of thirty (30) days.

Article 208 ° .- Appeal for reconsideration

The appeal for reconsideration shall be brought before the same body that issued the First act that is the subject of the challenge and must be based on new evidence. In the case of acts administrative issued by bodies that are unique instance not be required new test. This resource is optional and its no interposition not preclude the exercise of the remedy of appeal.

Article 209 ° .- Appeal of appeal

The remedy of appeal is lodged when the challenge will sustain in different interpretation of the evidence produced or when you try to questions of pure law, must be directed to the same authority that issued the act to be challenged for that lift it acted to the upper hierarchy.

Article 210 ° .- Appeal for review

Exceptionally no place to appeal for review before a third instance of competition national, if the two instances above were resolved by authorities that are not are of competitive national, must be directed to the same authority that issued the act to be challenged for that lift it acted to the top je rárquico.

Article 211 ° .- Requirements of the resource

The writing of the appeal must point out the act of the that it uses and fulfill the other requirements laid down in the Article 113 ° of the present law. It must be authorized by counsel.

Article 212 ° .- Firm act

A once defeated the deadlines for filing the resources administration will lose the right to articulate them being firm the act.

Article 213 ° .- Error in the qualification

The mistake in the rating of the resource by part of the appellant not be an obstacle to its processing always that of the writing is deducted their true character.

Article 214 ° .- Scope of the resources

The resource administration is exercised by one single time in each procedure administrative and never simultaneously.

Article 215 ° .- Silence administration in terms of resources

The silence administration in terms of resources is governed by the provisions of the paragraph 34.1.2 of the Article 34 ° and paragraph 2) of the Article 33 ° of the present Law.

Article 216 ° .- Suspension of the execution

216.1 The interposition of any resource, except the cases in which one standard legal establishes the contrary, does not suspend the execution of the act contested. 216.2 No However the provisions in the paragraph above, the authority to whom competa resolve the appeal may suspend of its own motion or at the request of part of the implementation of the act resorted when concurs any of the following c ircumstances:

a) That the execution could cause damages of impossible or difficult reparation.
b) It is appreciated objectively the existence of one vice of nullity transcendent.

216.3 The decision of the suspension is adopted prior weighting sufficiently reasoned from the damage that would cause to the interested public or to

third the suspension and the damage it causes to the appellant the effectiveness immediate of the act contested.
216.4 At the arranged the suspension may be taken the measures that are necessary to ensure the protection of the interest the public or the rights of third parties and the effectiveness of the resolution challenged.
216.5 The suspension is maintained during the processing of the resource administration or the corresponding process administrative litigation, except that the authority administrative or legal provided the contrary if it alter the conditions under the which was decided.

Article 217 ° .- Resolution

217.1 The resolution of the resource estimate in whole or in part or shall reject the claims made in the same or declare its inadmissibility.
217.2 After noting the existence of one causal of nullity, the authority, in addition to the declaration of nullity, shall decide on the bottom of the matter, to be counted with the elements sufficient for it. When not be possible to decide on the bottom of the matter, it will have the replenishment of the procedure to the moment in which the defect has occurred.

Article 218 ° .- Exhaustion of the administrative route

218.1 The acts administrative that Deplete the way management will be challenged to the Poder Judicial through the process administrative litigation to which was referred the Article 148 ° of the Constitution Policy of the State.
218.2 These are acts that exhaust the administrative route :

a) The act respect of the which no appropriate legal challenge to one authority or body hierarchically superior in the way administrative or when you produce silent administrative negative, except that the person concerned opts for filing appeal for reconsideration, in which case the resolution to be issued or the silence administrative produced by reason of such action impugning depletes the way management; or
b) The act issued or the silence administrative produced with reason of the interposition of one resource of appeal in those cases in which it challenged the act of one authority or body subjected to subordinate hierarchical; or
c) The act issued or the silence administrative produced with reason of the interposition of one resource of review, only in the cases to which are referred the Article 210 ° of the present Law; or
d) The act that declares of its own motion the nullity or revokes other acts administrative in
the cases to which was referred the Articles 202 ° and 203 ° of this Act; or
e) The 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 procedure trilateral is the procedure administrative litigation followed between two or more administered to the entities of the administration and for the described in the paragraph 8) of the article I of the Title Preliminary of the present Le and.
219.2 The part that initiates the procedure with the presentation of one claim will be designated as "claimant" and any of the emplaced will be designated

as "claimed."

Article 220.- Legal Framework

The procedure trilateral is governed by the provisions in the present Chapter and on the other by the provided in this Act. With respect to the

procedures administrative Trilateral governed by laws special, this chapter will only character his pletorio.

Article 221 ° .- Beginning of the procedure.

221.1 The procedure trilateral is initiated by the presentation of one claim or of trade.
221.2 During the development of the trilateral procedure the administration must favor and facilitate the conciliated resolution of the dispute.
221.3 A time taken to process the claim is put in knowledge of the reclaimed in order for that he present his defense .

Article 222.- Content of the claim

222.1 The complaint must contain the requirements of the writings provided in the Article 113 ° of the present Law, as well as the name and the address of each claimed, the grounds of the complaint and the request for sanctions or other type of action affirmative.
222.2 The complaint must provide the evidence and accompany as annexes the evidence of the that available.
222.3 The Authority may request clarification of the complaint to admit, when there are doubts in the exposition of the facts or fundamentals of rights re spectivos.

Article 223 ° .- Answer of the claim

223.1 The claimed must submit the reply to the *complaint within of the fifteen (15) days subsequent to the notice of this;* up this term, the Administration declared in absentia to the claimed that not he had presented. The reply must contain the requirements of the writings provided in the Article 113 ° of the present Law, as well as the acquittal of all the matters at issue of fact and of law. The allegations and the facts relevant to the claim, unless they have been specifically denied in the reply, it will by accepted or merituadas as certain.
223.2 The questions are proposed jointly and only when answering the claim or the reply and are resolved with the final resolution .
223.3 In the case of that the claimed non - compliance to submit the reply within of the deadline set, the administration may permit, if it considers appropriate and reasonable, the delivery of the answer then to the expiration of the pl azo.
223.4 In addition to the reply, the claimed may submit one reply alleging violations of the law respective, inside of the competence of the body corresponding to the entity. The presentation of replies and replies to those replies are governed by the rules for the presentation and defense of claims, excluding the reference to the rights administration of proceedings.

Article 224 ° .- Prohibition of responding to the answers

The reply to the answers of the claims, not being permitted. The new issues included in the defense of the accused shall be considered as matter at issue.

Article 225.- Evidence

Without prejudice to the provisions in the Articles 162 ° to 180 ° of the present law, the administration only can dispense with the performance of the tests offered by any of the parties by agreement unanimously of them.

Article 226 ° .- measures precautionary

226.1 In any stage of the procedure trilateral, of office or to order the part, precautionary measures may be issued in accordance with Article 146.
226.2 If the obligation to comply with one measure injunction ordered by the administration not it will work, and will apply the rules on implementing compulsory provided in the Articles 192 ° to the 200 ° of this Law.
226.3 It is the appeal against the resolution that dictates one measure injunction requested by any of the parties within of the term of three (3) days counted in from of the notification of the resolution that dictates the measure. Safe disposal legal or decision of the authority in hand, the appeal does not suspend the execution of the measure precautionary.

The appeal must rise to the superior hierarchical in one term maximum of (1) day counted from the date of the grant of the application concerned and will be resolved in one term of five (5) days.

Article 227 ° .- Challenge

227.1 Against the resolution end relapse in one procedure trilateral issued by one authority or body subjected to subordinate hierarchical only be the interposition of the resource of appeal. To not be superior hierarchical, only it is raised appeal for reconsideration.
227.2 The appeal must be filed before the body that issued the decision appealed inside of the fifteen (15) days of produced the notification respectively. The record corresponding must rise to the upper hierarchical in one term maximum of two (2) days counted from the date of the granting of the resource concerned. 227.3 Inside of the fifteen (15) days of received the file by the superior hierarchical will run transfer to the other party and will you grant period of fifteen (15) days for the acquittal of the appeal.
227.4 With the acquittal of the other party or expired the term to which was referred the article precedent, the authority that knows of the appeal may note day and time for the view of the cause that not may be performed in one period greater than ten (10) days counted from the date on which you notified the absolution of the appeal to whom the stand.
227.5 The administration must issue resolution within of the thirty (30) days following to the date of completion of the hearing.

Article 228 ° .- Conciliation or extrajudicial transaction

228.1 In the cases in those that the law so permits and prior to that was notified the resolution end, the authority may approve agreements, pacts, agreements or contracts of the managed to import one transaction extrajudicial or conciliation with the scope, requirements, effects and regimen legal specific that in each case provides the provision that it governs, can such actions put an end to the procedure administrative and leave without effect the resolutions that were there Were issued in the procedure. The agreement may be collected in one resolution adm inistrative.

228.2 The aforementioned instruments shall consist of written and set as content at least the identification of the parties involved and the period of vig gingiva.
228.3 In the approving the agreements to which was referred the numeral 228.1, the authority may continue the procedure of its own motion if in the analysis of the facts considers that

It could estarse affecting interests of third parties or the action raised by the initiation of the procedure would entail interest general.

CHAPTER II

Sanctioning Procedure

Article 229 ° .- Scope of Application of this Chapter

229.1 The provisions of the present Chapter discipline the powers that be attributed to any of the entities to establish violations administrative and the consequent sanctions on the run.
229.2 In the entities whose power to impose penalties is regulated by laws special, this Chapter will apply with character extension. The disciplinary sanctioning authority on the personnel of the entities is governed by the regulations on the matter.

Subchapter I
Of the Sanctioning Power

Article 230.- Principles of the administrative sanctioning power

The power to impose penalties of all the entities is governed additionally by the following principles special:

1. Legalidad.- only by norm with rank of law be attributed to the authorities the power to impose penalties and the consequent provision of the consequences administrative that a degree of punishment is possible to apply to one run, the which in any case will enable to have the deprivation of liberty
2. Due procedure.- The entities will apply sanctions subject to the established procedure respecting the guarantees of due process.
3. Reasonableness.- The authorities must provide that the commission of the punishable conduct is not more advantageous for the offender than to comply with the infringed norms or assume the sanction; as well as that the determination of the sanction considers criteria such as the existence or not of intentionality, the damage caused, the circumstances of the commission of the infraction and the repetition in the commission of in fraction.
4. Tipicidad.- only constitute conduct punishable administratively the offenses provided expressly in regulations with rank of law by its

classification as such, without admitting interpretation extensive or analogy. The provisions regulations of development can specify or graduate those aimed at identifying the behavior or determine sanctions, without constituting new conduct punishable to the planned law, except those cases in which the law allows typify by road regulations.
5. Irretroactividad.- are applicable the provisions on penalties in force at the time of incurring the administered in the behavior to punish, except that the later will be more favorable.
6. Competition of Infracciones.- When one same behavior qualifies as more than one offense will apply the penalty provided for the violation of greater severity, without prejudice that may be required the other responsibilities that establish the will yes.
7. Continuation of Infracciones.- To impose sanctions for infringements in the which the administered incurred in the form continuous, is required to have passed by at least thirty (30) days from the date of the imposition of the ultimate sanction and is proving to be requested to the given that show have ceased the infringement within the said period.
8. Causalidad.- The responsibility should fall on who performs the conduct negligent or active constituent of infringement punishable.
9. Presumption of licitud.- The entities must assume that the managed have acted attached to their duties while not count with evidence in hand.

10. Non bis in ídem.- not be able to impose successively or simultaneously one penalty and one penalty administrative by the same done in the cases that will appreciate the identity of the subject, made and foundation.

Article 231 ° .- Stability of the competition for the power to impose penalties

The exercise of the sanctioning power corresponds to the administrative authorities to whom they have been expressly attributed by legal or regulatory provision , without being able to assume it or delegate it to a different body .

Article 232 ° .- Determination of the responsibility

232.1 The sanctions administrative that are imposed on the run are compatible with the requirement of the replacement of the situation altered by the same to its state before, as well as with the compensation for the damages and damages caused, those that will be determined in the process court corresponding . 232.2 When the fulfillment of the obligations laid down in one hand legal corresponds to several persons jointly liable to form solidarity of the offenses that in their case is discussed, and of the penalties to be imposed.

Article 233.- Prescription

233.1 The ability of the authority to determine the existence of violations administrative prescribe in the term that establish the laws special, without prejudice to the deadlines for the prescription of the other responsibilities that the offense might warrant. In case of not be determined, it shall prescribe in five years old computed by starting from the date on which was committed the offense or since it ceased, if it were one action continued.
233.2 The term of prescription only be interrupted with the initiation of the procedure penalty, resuming the term if the record is kept frozen for more than a moon for causes not attributable to the administered.
233.3 The administered raise the prescription by way of defense and the authority should resolve it without further processing to the finding of the deadlines, must in case of estimating it founded, arrange the start of the actions of responsibility for elucidating the causes of the inaction administrative.

Subchapter II

Ordering of the Sanctioning Procedure

Article 234.- Characters of the sanctioning procedure

For the exercise of the power to impose penalties is required necessarily have followed the procedure legally or statutorily established characterized by:

1. Differentiate in its structure between the authority that leads the phase instructor and the it decides the application of the sanction, when the organization of the entity as eg rmita.
2. Consider that the facts declared proven by judicial decisions strong link to the institutions in their procedures sanctioning.
3. Report to the administered the facts that are you impute a degree of charge the qualification of the offenses that such facts can construct and the expression of the sanctions that, in his case, is he could impose, as well as the authority competent to impose the sanction and the norm that attributes such competence.
4. Give to the administered one term of five days to formulate their arguments and use the means of defense admitted by the system legal according to the paragraph 162.2 of the article 162 °, without which the abstention from the exercise of this right can be considered element of judgment in hand to your situation

Article 235 ° .- Procedure sanctioning

The entities in the exercise of their sanctioning power shall adhere to the following provisions:

1. The procedure penalty is initiated always in motion, either on its own initiative or as a result of order superior, request motivated by other bodies or institutions or by complaint.

2. With Prior to the initiation formally of the procedure are able to perform actions prior to investigation, inquiry and inspection with the purpose of determining with character preliminary if concur circumstances that justify its i niciación.
3. Determined the initiation of the procedure sanctioning, the authority instructor of the process makes the respective notification of charge to the possible sanctioned, the which should contain the data to which it refers the numeral 3 of the article precedent to that present their releases by written in one run that not may be inferior to five days working counted on as of the date of the notification.
4. Upon expiration of this term and with the respective discharge or without him, the authority that instructs the procedure performed in office all the actions necessary for the examination of the facts, collecting the data and information that are relevant to determine, in their case, the existence of liability subject to penalty.
5. Concluded, to be the case, the collection of evidence, the authority instructor of the procedure solves the imposition of one penalty, or the non - existence of infringement. In case of that the structure of the process contemplates the existence differentiated from organs of instruction and bodies of resolution concluded the collection of evidence, the authority instructor formulate proposal for resolution on the to be determined, of how motivated the behaviors that are considered proven constituent of infringement, the rule that provides for the imposition of a sanction for such conduct and the sanction that is proposed to be imposed; or rather it will propose the declaration of non - existence of infringement. Upon receipt of the motion for a resolution, the competent body to decide on the application of the sanction may provide for the performance of complementary actions , provided they are essential to resolve the procedure.
6. The decision to apply the penalty or the decision to file the procedure will be notified both to the administered as to the body or entity that made the request or to whom denounced the offense to be the case.

Article 236 ° .- Measures of character provisional

236.1 The authority that instructs the procedure may have the adoption of measures of character interim to ensure the effectiveness of the resolution end that could fall, with subject to the provisions of the Article 145 ° of this Law.
236.2 The measures to be taken should be adjusted to the intensity, proportionality and needs of the objectives that are intended to ensure in each course concrete.
236.3 The compliance or implementation of the measures of character provisional that in his case was taken, were offset, in terms is possible, with the sanction im on.

Article 237 ° .- Resolution

237.1 In the resolution that put an end to the proceedings not be may accept facts different from those determined in the course of the procedure, with independence of their different valuation legal.
237.2 The resolution will be executive when put an end to the way administrative. The administration may take the measures precautionary precise to ensure its effectiveness, in both not be enforceable.
237.3 When the offender sanctioned recourse or challenging the resolution adopted, the

Resolution of the resources that interpose not be able to determine the imposition of penalties more severe for the sanctions.

TITLE V
Of the responsibility of the administration public and to the staff at your service

CHAPTER I

Responsibility of the administration public

Article 238.- General Provisions

238.1 The run will be entitled to be indemnified by the entities of any injury to suffer in any of their property and rights, except in cases of force majeure, provided that the damage is a result of the operation of the adm inistration.
238.2 The declaration of invalidity of one act administrative in office administration or by resolution court does not presuppose necessarily of the operation of the adm inistration.
238.3 The alleged damage must be effective, economically valuable and individualized in relation to an administrator or group of them.
238.4 Only the damage caused to the administrator arising from damages that the latter does not have the legal duty to bear in accordance with the law will be compensable .
238.5 The amount of the compensation will include the interest legal and is calculated with reference to the day on which the injury has occurred.
238.6 When the entity compensation to the administered, may repeat the courts of officials and other staff at your service the responsibility in that they had incurred, taking into account the existence or not of intentionality, the responsibility professional of the personnel involved and their relationship with the
production of the injury. However , the entity may agree with the person responsible for the reimbursement of the compensation, approving said agreement by resolution.

CHAPTER II

Responsibility of the authorities and personnel to the service of the administration public

Article 239 ° .- Fouls administrative

The authorities and staff to the service of the entities, regardless of their regime labor or contractual, incurred in absence management in the process of the procedures administrative to his office and, by thus are likely to be sanctioned administratively with reprimand, suspension, termination or dismissal based on the seriousness of the offense, the recidivism, the damage caused and the intentionality with which they acted, in case of:

1. Refuse to unreasonably receive requests, resources, statements, information or issue proof of them.

2. Do not deliver, within the legal term , the documents received to the authority that must decide or comment on them.
3. Delaying unjustifiably the remission of data, acted or records requested to solve one procedure or the production of one act procedural subject to term determined within of the procedure administrative.
4. Resolve without motivation any matter submitted to its competence.
5. Run one act that will not be found expedient to do so.
6. Do not communicate inside of the term legal grounds for abstention in the which is found incurso.
7. Dilate the fulfillment of mandates higher or administrative or contradict their decisions.

8. Intimidate in any way those who wish to file an administrative complaint or contradict their decisions.
9. To incur in manifest illegality .
10. Spread in any way or allow the access to the information confidential to which was referred the paragraph 160.1 of this Act.

The corresponding sanctions should be imposed prior process administrative discipline that, in the case of the staff subject to the regime of the career management, will gird himself to the provisions legal force on the matter, must be applied to the other cases the procedure laid down in the Article 235 ° of the present Act, in so that it be relevant.

Article 240.- Criteria for the application of sanctions

The other faults incurred by the authorities and personnel at their services with respect to those administered not provided for in the previous article will be sanctioned considering the damage caused to those administered, the affectation to the due process caused, as well as the nature and hierarchy of the functions performed , understanding that as greater is the hierarchy of the authority and more specialized their functions in connection with the offenses, greater is his duty to know them and appreciate them properly.

Article 241 .- Restrictions to former authorities of the entities

241.1 No ex authority of the entities may make during the year next to its cease any of the following actions with respect to the entity to the which belonged:
241.1.1 represent or assist to one run in any procedure with respect to the which had some degree of participation in the activity in the entity.
241.1.2 advise to any administered in a matter that was pending for decision during its relationship with the entity.
241.1.3 Perform any contract of way direct or indirect, with any given apersonado to one procedure resolved with their participation.

241.2 The violation of these restrictions will be subject to procedure investigatory and to be checked, the responsible will be sanctioned with the prohibition of entry to any entity for five years and registered in the Register res pective.

Article 242 ° .- Registration of Sanctions

The Presidency of the Council of Ministers or who it designated organizes and leads in the form permanent one Registration National of sanctions of dismissal and redundancy that will have applied to any authority or personnel at the service of the entity, regardless of its regime labor or contractual, with the order to prevent their re - entry to any of the entities for one term 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 the requirement of the liability criminal or civil does not affect the power of the institutions to instruct and decide on the responsibility of administrative, unless provision court expressly in the contract.

COMPLEMENTARY AND FINAL PROVISIONS

FIRST.- References to this Law

The references to the rules of the present law is made indicating the number of the article followed by the mention "of the Law of Procedure Administrative Ge neral".

SECOND.- Prohibition of reiterating normative contents

The provisions legal Subsequent not be to reiterate the content of the rules of the present Law, must only refer to the article concerned or materialize to regulate what is not expected.

THIRD.- Integration of special procedures

The present law is supplementary to the laws, regulations and other rules of procedure existing in terms not the contradiction or is opposed, in which case prevail the provisions special.

FOURTH.- Validity of the present Law

1. This Act shall enter into force for the six months of its publication in the Journal Official El Peruano.
2. The lack of regulation of any of the provisions of this Law shall not be an impediment to its validity and enforceability.

FIFTH.- Generic repeal

This law is of order public and repeals all the provisions legal or administrative, of equal or lower rank, who are you to oppose or contradict, regulating procedures administrative in nature generally those whose specialty not prove justified by the subject that govern them , as well as by Absorption those provisions is that they have the same content as any provision of this Law.

SIXTH.- Express repeal

Particularly they are revoked expressly to starting of the effect of the present Law, the following rules:

1. The Decree Supreme No. 006-67-SC, the Law No. 26111, the text Unique Sort of the Law of Standards General of Procedures Administrative, approved by Decree Supreme No. 002-94-JUS and its rules amended, complementary , substitutes and regulations;
2. Law No. 25035, called Law of Simplification Administrative, and their standards modifying, complementary, substitute and regulatory;
3. Title IV of the Decree Legislative No. 757, called Law framework for the growth of the Investment Private, and its rules amended, complementary, substitute and regulations;
4. Sixth Arrangement Complementary and Transitory of the Law No. 26979, called Law of procedure of Run Coercive.

SEVENTH.- References to repealed devices

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

replaced by this for all the effects legal, without prejudice to the other powers of competition with taken in this article.

TRANSITIONAL PROVISIONS

FIRST.- Transitional regulation

1. The procedures administrative initiated prior to the entry into force of the present Act, shall be governed by the rules prior to their conclusion.
2. There , however, are applicable to the procedures in processing, the provisions of the present Law that recognize rights or powers to the administered compared to the administration, as well as its title Preliminary.
3. The procedures Special initiated during the period of adjustment provided for in the third provision transient is governed by the provisions

in the regulations prior to them is of application until the approval of the amendment appropriate, in which case the proceedings initiated with subsequent to their Entry into force, are regulated by the aforementioned regulations of adequacy.

SECOND.- Deadline for the adaptation of special procedures

Regulations, in the period of six months to starting from the publication of this Law, will take to effect the adequacy of the rules of the entities regulators of the different procedures administrative, any that is its range, with the purpose of achieving one integration of the general rules supplementary applicable.

THIRD.- Deadline for the approval of the TUPAs

The entities must approve their TUPAs according to the rules of the present Law, in one period maximum of four months counted to starting of the validity of the m isma.

FOUR.- Regime of notaries

For purposes of the provisions in the Article 127 ° of the present Act, each entity may develop one regulation internal in the which will establish the requirements, functions and other standards related to the performance of the functions of faith datary.

FIFTH.- Dissemination of the present Law

The entities under the responsibility of its owner, must perform actions of dissemination, information and training on the content and scope of the present Law on behalf of its staff and of the public user. Such actions may run to through the Internet, print, talks, posters or other means to ensure the proper dissemination of the same. The cost of the actions of information, dissemination and training does not need to be transferred to the public user.
The entities in one term not greater to the 6 (six) months of published the present Act, shall report to the Presidency of the Council of Ministers on the actions undertaken for the implementation of the provisions in the paragraph above.

Contact to the Lord President of the Republic for its

promulgation. In Lima, to the twenty days of the month of

March of two thou Uno.

CARLOS FERRERO
President a.i. of the Congress of the Republic

HENRY PEASE
GARCÍA Second
Vice President of

the Congress of
the Republic.

A THE LORD PRESIDENT CONSTITUTION OF THE REPUBLIC

BY BOTH:

Command is published and complied with.

Given in the House of Government, in Lima, to the ten days of the month of April of the year two thou Uno.

VALENTIN PANIAGUA
CORAZAO Constitutional
President of the Republic

JAVIER PÉREZ DE
CUÉLLAR President of
the Council of Ministers

DIEGO GARCÍA-SAYAN
LARRABURE Minister of
Justice.