



## **THE NEW REGULATION OF THE CUSTOMS LAW WILL GET IN THE WAY OF FOREIGN TRADE AND CREATE BUREAUCRATIC BARRIERS**

We address the Port Community in general as well as the high government authorities and the Foreign Trade Commission of Parliament to inform that APAM has taken notice of the draft regulation of the General Customs Law. APAM, as a union representing the Maritime Agents of Peru, hereby expresses its total disagreement and bewilderment regarding the scope of these regulations, since, far from benefiting foreign trade, it will rather harm it due to the following reasons, among many others:

1. The requirements that are being established to develop activities as a Foreign Trade Operator - six general criteria and forty specific ones - are excessive, redundant and illegal. Moreover, they exceed the powers of the Customs Administration, as they create new operating licenses, generate cost overruns by demanding grants for additional bonds and establish disproportionate and improper requirements for services that are provided under Free Competition conditions.
2. The categorization factors and the criteria measuring our activities take as reference the determined infractions and cargo manifest rectifications. In other words, licit conducts are criminalized such as the right recognized by law to rectify cargo manifests and to submit claims against unfairly applied fines.
3. We will not be able to comply with the new deadlines established for the transmission of cargo manifests since they do not correspond to the reality of foreign trade operative deadlines. This is true, in particular, as far as general cargo and hydrocarbons is concerned as this requirement is in clear contravention of Article 10, numeral 2 of Decision 671 of the Andean Community, thus violating an international agreement.

Based on the above considerations, we request that the approval of the New Customs Law Regulation be suspended until the multiple deficiencies of the text published on June 13, 2019, are remedied, and the legitimate objections raised by those who know how these operations work.

The competitiveness of Peruvian Foreign Trade is at stake and this is a risk that the country cannot afford to take at the present time.

**THE BOARD OF DIRECTORS OF APAM**

Callao, July 1<sup>st</sup>, 2019