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PROTOCOLS

Law 25,889

Approval of the Additional Migration Convention signed with the Republic of Peru on December 16, 2002 Protocol.

Adopted on April 21, 2004.

Promulgated: May 17, 2004.

The Senate and House of Representatives of Argentina in Congress assembled, etc.. enact as law:

ARTICLE 1 ° - Approval of the ADDITIONAL PROTOCOL TO THE AGREEMENT BETWEEN THE REPUBLIC OF ARGENTINA MIGRATION AND THE REPUBLIC OF PERU, signed in Buenos Aires on December 16, 2002, consisting of ONCE (11) items, as certified photocopy of the form this Act.

SECTION 2 - Communicate to the Executive Branch.

DONE IN THE CHAMBER OF THE ARGENTINE CONGRESS IN BUENOS AIRES, THE TWENTY DAYS OF APRIL TWO THOUSAND FOUR.

- REGISTERED UNDER THE No. 25,889 -

EDUARDO O. CAMAÑO. - DANIEL O. SCIOLI. - Eduardo D. Rollano. - John J. Canals.

ADDITIONAL PROTOCOL TO THE AGREEMENT BETWEEN THE REPUBLIC OF ARGENTINA MIGRATION AND THE REPUBLIC OF PERU

The Government of Argentina and the Government of the Republic of Peru hereinafter "the Parties",

Taking into consideration the provisions of the Migration Agreement between Argentina and the Republic of Peru from August 12, 1998, hereinafter "the Convention"

Have agreed as follows:

ARTICLE I

SCOPE

Substitúyese Article 2 of the Convention as follows:

"This Convention amended by the Additional Protocol applies to:

a) a National Party wishing to settle in the territory of the other, to develop formal activities as employees and provide, within the term of the Agreement, to the respective consular office, your application for admission to country and documentation as determined in Article 4, subsection a) as amended by the Additional Protocol to the Convention.

b) Nationals of a Party, that being in an irregular situation in the territory of the other and pretending to regularize the same to develop formal activities as employees or self-submit within 365 days from the application of the Protocol Additional, before the corresponding migration services, its application for regularization and documentation as determined in Article 4, subsection a) as amended by the Additional Protocol to the Convention.

c) Nationals of a Party other than spouse, parent or unmarried children under 21 or disabled nationals that would have been welcomed to the Convention, who wish to enter or regularized under the latter and provide, within the term of the Agreement, before the respective consular office or migration service as appropriate documentation is determined in Section 4, subsection b) as amended by the Additional Protocol to the Convention.

d) Nationals of a Party wishing to enter or regularized under this Agreement and are the spouse, parent or unmarried children under 21 or disabled nationals who are residing in the host country as a temporary or permanent under common rules established in the

respective national laws and to submit, within the term of the Agreement, to the respective consular office or migration service as appropriate documentation is determined in Section 4, subsection b) as amended by the Additional Protocol to Convention .

e) a National Party who wish to enter or regularized under the Convention and are the spouse, parents or children of nationals of the other residing in it and to submit, within the term of the Agreement, to the respective consular office or service migration, as appropriate documentation is determined in Section 4, subsection c) as amended by the Additional Protocol to the Convention.

For the purposes of subparagraph b) of this Article the term "irregular" means the retention of nationals of one Party in the territory of the other, which do not meet the requirements in force in the respective domestic immigration laws.

In the case of a) and b) the spouse, parents and unmarried children under age 21 or disabled persons included therein may simultaneously apply to the holder.

SECTION 2

TYPE OF RESIDENCE TO GIVE AND REQUIREMENTS

Substitúyese Article 4 of the Convention by the following:

"The respective consular office or the migration service, as the case may be granted:

a) A national falling under a) and b) of Article 2 amended by the Additional Protocol a temporary residence for three years after submission of the following documentation Convention:

I) valid and current passport. If the immigrant to submit your application migration services of the recipient country, you must submit the passport with which effected his last entry. If he does not possess, will present the new passport, where the immigration authorities to settle the check as income control records held.

II) entries of birth and marital status of the immigrant.

III) certificate stating that the lack of criminal record and / or police in the country of origin or where the applicant has resided during the five years prior to his arrival in the country of reception or your petition to the consulate, as the case .

IV) Affidavit of lack of international criminal or police records.

V) Certificate of criminal and / or police of the petitioner in the receiving country, in the case of national covered by paragraph b) of Article 2 amended by the Additional Protocol to the Convention.

VI) A medical certificate issued by immigration medical health authority or other official of the country of origin or receipt, as applicable, of the medical fitness of the petitioner in accordance with the internal rules of the host country arises.

VII) Proof of identification work for the exercise of formal activities as employees or entry in the respective tax collection agencies in the event of exercise of autonomous formal activities, which will be granted upon presentation of the documentation provided in the foregoing paragraphs.

For Argentina Party shall be deemed that such records are the Single Labor Identification Code (Cuil) and Unica Key Tax Identification Number (CUIT), respectively.

To the Peruvian party means that such records are the Carnet Aliens (EC) and the Single Register of Taxpayers (RUC), respectively.

b) A national included clauses c) and d) of Article 2 amended by the Additional Protocol temporary residence Agreement which will expire in conjunction with the expiration of the residence of the alleged link relative whose permanent residence or as appropriate, prior presentation of the following documents:

I) Birth Certificate or Marriage attesting the link that allows you to benefit from the Convention and documentation proving the quality of temporary or permanent resident relative whose link is alleged.

II) A valid passport and valid: If the immigrant to submit your application migration services of the recipient country must show Passport to undertake with his latest entry. If he does not possess, will present the new passport, where the immigration authorities to settle the check as income control records held.

III) certificate stating that the lack of criminal record and / or police in the country of origin or where the applicant has resided during the five years prior to his arrival in the country of receipt or the request to the Consulate as applicable.

IV) Affidavit of lack of international criminal or police records.

V) Certificate of criminal and / or police of the petitioner in the receiving country, in the case of national covered by paragraph b) of Article 2 amended by the Additional Protocol to the Convention.

VI) A medical certificate issued by immigration medical health authority or other official of the country of origin or receipt, as applicable, of the medical fitness of the petitioner in accordance with the internal rules of the host country arises.

c) A National Party referred to in subparagraph e) of Article 2 of the Convention as amended by Additional Protocol permanent residence prior submission of the following documentation:

I) birth certificate or marriage, as applicable.

II) Identity of the relative whose alleged link and documentation of their nationality.

For Argentina National Party quality is evidenced by the birth.

For quality Peruvian national party is credited with the birth certificate. In the case of the elderly can also be credited with National Identity.

III currently valid) passport. If the immigrant to submit your application migration services of the recipient country, you must submit the passport with which effected his last entry. If he does not possess, will present the new passport, where the immigration authorities to settle the check as income control records held.

IV) certificate stating that the lack of criminal record and / or police in the country where the applicant has resided during the five years prior to his arrival in the country of receipt or the request to the Consulate, as applicable.

V) Affidavit of lack of international criminal or police records.

VI) Certificate of criminal and / or criminal history of the petitioner in the receiving country, in the case of national covered by paragraph b) of Article 2 amended by the Additional Protocol to the Convention.

VII) Medical certificate issued by immigration medical health authority or other official of the country of origin or receipt, as applicable, of the medical fitness of the petitioner in accordance with the internal rules of the host country arises.

Petitioners temporary or permanent residence referred to in subparagraphs a), b), c), d) and e) as amended by Article 2 of the Additional Protocol Agreement shall pay the compensation rate service at the beginning of processing of the respective residence as they have the relevant domestic legislation. All children under 16 years of age performing the procedure together with their parents will be exempt from the pay service charge.

Also the migration authority may waive payment of the compensation rate services to the applicants of temporary or permanent residence in the cases mentioned in paragraphs c), d) and e) of Article 2 amended by the Additional Protocol to the Convention on account of Petitioner homelessness and family whose link enables the inclusion therein.

For the purposes of legalization of documents when the application to be consular office, simply certifying authority under the procedures established in the country from which the document emanates. When the application is made before the migration services, such documents must be certified by a consular agent of the country of origin accredited to the receiving country, no other collection petitioner.

SECTION 3

RENEWAL OF TEMPORARY RESIDENCE

Substitúyese Article 5 of the Convention by the following:

"A) The nationals of the Parties referred to in subparagraphs a) and b) of Article 2 of the Convention as amended by Additional Protocol which obtained its temporary residence three years must be submitted to the appropriate migration service every twelve months from the date of grant, with the following documentation:

I) Passport with which it has made its last entry. If it was expired, will also present the new valid passport.

II) certificate stating that the lack of criminal record and / or police in the receiving country in the last twelve months.

III) In the case of evidence of compliance with security and tax obligations during the period of residence granted self-employed;

In the case of workers as employees payslips for at least six of the last twelve months, and a certificate issued by the competent body of data with the employer who is working at presentation.

IV) Proof of timely granted temporary residence.

V) Evidence of the last presentation in a timely manner before the migration authority, under this Article.

b) Nationals of the Parties referred to in paragraphs c) and d) of Article 2 amended by the Additional Protocol which obtained more than one year temporary residence must be submitted to the appropriate migration service every twelve months with the following documentation Convention.

I) Evidence of timely granted temporary residence.

II) Passport with which it has made its last entry. If it was expired, will also present the new valid passport.

III) certificate stating that the lack of criminal record and / or police in the receiving country in the last twelve months.

IV) Certificate issued by the competent body certifying the regular immigration status relative whose link is alleged.

For the party that Argentina is the National Direction of Migration.

To the Peruvian party that agency is the Department of Immigration and Naturalization of the Ministry of Interior.

V) Evidence of the last presentation and timely migration to the authority under this Article.

The process of finding the ends specified in this Article shall be exempt from payment of compensation rate for their respective services migration services. "

SECTION 4

CANCELLATION OF TEMPORARY RESIDENCE

The immigration authority may cancel the temporary residence granted under Article 2 of the Additional Protocol in the event of breach of the obligations set forth in Article 3 of this.

Article: 5

THE DETENTION OF NATIONALS

When detention of nationals of one Party takes place in the territory of the other, the latter undertakes to inform the fact to the consular authorities of the former, without prejudice to the scope of Article 36 of the Vienna Convention on Consular Relations.

ARTICLE 6

VOLUNTARY DEPARTURE NATIONALS IN IRREGULAR IMMIGRATION SITUATION

National Party in an irregular situation may voluntarily leave the territory of the other and will be subject to a payment not exceeding the equivalent of \$ 50.00 (fifty U.S. dollars), the same for you exonerándoseles proven cases of destitution. Such persons can not reenter for a period of one year.

ARTICLE 7

ELIGIBILITY REQUIREMENTS FOR TEMPORARY RESIDENCE AND / OR PERMANENT

The immigration authority granted temporary or permanent residence as requested by the petitioner, to nationals of those Parties that have fulfilled three years of continuous legal residence in accordance with the provisions of Articles 2 and 3 of the Additional Protocol, after fulfilling the following requirements:

a) For nationals of the Parties referred to in subparagraphs a) and b) of Article 2 amended by this Protocol shall:

I) Passport with which it has made its last entry. If it was expired, will also present the new valid passport.

II) certificate stating that the lack of criminal record and / or police in the receiving country in the last twelve months.

III) In the case of evidence of compliance with security and tax obligations during the period of residence granted freelancers.

In the case of workers as employees payslips for at least six (6) for the last twelve (12) months and a certificate issued by the competent authority of the employer with the data you are working at presentation.

IV) Proof of timely granted temporary residence.

V) Proof of presentations made in a timely manner before the migration authority, pursuant to the provisions of Article 3 of this Protocol.

VI) Payment of the compensation rate have served under the respective laws.

b) For nationals of the Parties referred to in paragraph c) and d) of Article 2 of the Convention as amended by this Protocol:

I) Evidence of timely granted temporary residence.

II) Passport with which it has made its last entry. If it was expired, will also present the new valid passport.

III) certificate stating that the lack of criminal record and / or police in the receiving country in the last twelve months.

IV) Certificate issued by the competent body certifying the regular immigration status of the holder of the procedure.

For the party that Argentina is the National Direction of Migration.

To the Peruvian party that agency is the Department of Immigration and Naturalization of the Ministry of Interior.

V) Proof of presentations made in a timely manner before the migration authority pursuant to the provisions of Article 3 of this Protocol.

VI) Payment of the compensation rate have served under the domestic legislation.

In the event that the domestic law of the Parties providing for the granting of permanent residence in a lower set to lapse this Article shall apply in the territory of that Party its domestic legislation favorable to the petitioner.

ARTICLE 8

VALIDITY OF THE DOCUMENTATION

Shall be considered valid documentation submitted by nationals of the Parties that have accepted the Convention and who have not renewed their residence in a timely manner in accordance with the provisions in the body of the instrument, provided that the document is not found expired and their renewal by that or other circumstances necessary.

ARTICLE 9

OBTAINING THE TEMPORARY RESIDENCE AND / OR PERMANENT

National Party that would have been welcomed to the Convention and, if applicable, have renewed promptly granted temporary residence, must be submitted to the immigration authority before the expiry of his current for the purposes of fulfilling the residence procedure laid down in Article 3 of this Protocol.

Accredited requirements of that Article, the migration authority granted a temporary residence for a period equal to the period remaining to the petitioner to serve three years of continuous legal residence to enable the granting of permanent residence within the meaning of Article 7 of this Protocol.

The sole purpose of applying this Article the processing of applications for permanent residence shall be exempt from payment of remuneration rate services.

ARTICLE 10

TRANSIENT CLAUSE

Until the entry into force of the Additional Protocol, the immigration authorities treated the temporary residence granted under the Convention under the conditions and to the extent specified in the Articles of this Additional Protocol.

ARTICLE 11

PROTOCOLS
FINAL CLAUSES

This Protocol shall be ratified and enter into force on the date on which the instruments of ratification are exchanged.

This instrument will be an integral part of the Agreement shall have the same duration, except for the period prescribed by Article 2 as amended by the Additional Protocol to the regularization of migrants in an irregular situation Convention.

Made in Buenos Aires on December 16, 2002, in two originals, both equally authentic.

Por la República Argentina



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Por la República del Perú



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