

June, 2020

NEW INSTRUCTIONS FOR MOVEMENT PERMITS FOR ESSENTIAL WORKERS

According to the announcements of the authority in recent days, the new instructions for movement permits (hereinafter "Instructions") were published on June 12, which will be effective as of Monday, June 15 at 05:00 am.

The main modifications introduced by this new version of the instructions are the following:

1. Types of collective permits. From the issuance of this instrument, two sub-categories are created within the collective permits that enable their holders to move through quarantined communes, depending on the category of the company that requires to continue operating with the presence of its workers:

a. Temporary Collective Permit. It enables the movement of people, institutions and industries that perform essential tasks according to the instructions, only for the purposes of fulfilling their functions. In addition, the Temporary Collective Permit serves as a pass to carry out functions during curfew and cross a sanitary cord.

According to the Instructions, the institutional credential and the national identity card will be considered as valid permission for the workers in the following fields detailed in the Instructions:

- Health
- Public sector
- Food and essential trade
- Emergencies
- Education
- Transport (exceptionally, in the case of the transport of goods, the dispatch guide constitutes the sanitary permit for the carrier).
- Others

This last item includes (i) people who provide services in hotels that maintain guests, (ii) ministers of worship for specific functions and (iii) activities that due to their nature cannot be stopped and whose interruption generates an alteration for the operation of the country, duly determined by the competent authority.

Therefore, in the case of workers of the fields indicated above, there are no changes in the way of circulating in quarantined areas, since it will suffice that they display their credential or institutional document that evidences that they are an employee of the company in the respective field, together with their identity card, just as they did until now.

For the rest of the fields declared essential in the Instructions, the Single Collective Permit will be required, as explained below.



If you have any questions regarding the matters discussed in this news alert, please contact the following attorneys or call your regular Carey contact.

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- b.** Single Collective Permit. It is the one requested by a company or institution of certain essential fields, so that its workers can work from their premises or circulate in quarantined zones within their functions.

This permit must be requested through the “Comisaría Virtual”, and will be applicable only in a first stage for workers of companies considered as services of public utility, security and press, as detailed in the instructions.

Therefore, companies in the aforementioned areas must obtain this permit, which replaces the use of institutional credentials during daylight hours, and the safeguard document for curfew hours. Therefore, as of Monday 15 at 05:00 am, people who provide services in these areas must carry the Single Collective Permit and their national identity card in order to show them to the authority when controlled.

According to the Instructions, this type of permit has the following characteristics:

- The Single Collective Permit is valid for 7 calendar days.
 - It will be up to the applicant, in each case, to indicate whether it will be used during the day and/or evening hours.
 - It is valid to enter and exit through sanitary cords.
 - It must be obtained at least 3 hours in advance by the applicant.
 - The list of authorized workers will be reviewed with the records of active COVID-19 patients maintained by the Health Authority. Consequently, it cannot be obtained by workers who are in the aforementioned registry as active cases.
 - These permits can be programmed up to 3 days before they come into effect, so that applicants can organize themselves in advance.
 - Each requesting institution must enter the list of workers who will be able to attend their workplace and must inform their respective authorities, their total endowment and the criteria used to estimate the workers who must work from their premises. Said information will be supervised by the respective authorities.
- 2. Situation of mining companies.** As of the entry into force of the Instructions, the essential workers of mining companies, suppliers and contractors thereof will be included in the Public Utility Services –which from now on must request the single collective permit- and, therefore, they no longer need to request special authorization from the Ministry of Mining to operate.

3. Situation of companies that are not included in the essential items or services. In the case of those companies whose activity has not been considered essential and who considers that they cannot suspend their functions due to quarantine as it is an essential service, the instructions include in the heading "Others", a section under which it is possible to request to the authority to issue a specific authorization to operate, in which case -if the authorization is granted- it would be sufficient for the workers to show the institutional credential and their identity card.

Specifically, the Instructions indicate that companies that carry out activities that due to their nature cannot stop and whose interruption generates an alteration for the operation of the country, may request this authorization.

4. Special permit for delivery workers. In the case of delivery workers who provide distribution services for food, essential household goods and medicines through delivery platforms, a new special permit was established to enable them to circulate within quarantined zones.

This permit has the following characteristics:

- Valid for a single day until 00:00 hours.
- The list of distributors will be compared with the records of active COVID-19 patients maintained by the Health Authority. Consequently, it cannot be obtained by workers who are in the aforementioned registry as active cases.
- The distributors must show this permit together with their national identity card to the supervisory authority.

