

MINISTRY OF ENERGY ESTABLISHES CRITERIA FOR REQUESTS OF UNIQUE COLLECTIVE PERMIT APPLICABLE TO POWER GENERATION COMPANIES

By means of Ordinary Resolution No. 675/2020 dated July 8th, 2020 ("Ordinary 675"), the Ministry of Energy established the criteria of the requests of Unique Collective Permits applicable to companies with power generation businesses in the context of the transit instructions issued by the sanitary authority due to the COVID-19 outbreak.

Ordinary 675 indicates that the electric sector has been qualified as a public service for the purposes of the transit instructions, where workers of such companies must hold a Unique Collective Permit which is requested by each entity/company through the "Comisaría Virtual" platform.

In this context, Ordinary 675 clarifies the application of transit permits for projects in stages of construction and commissioning, regulating the following situations:

- 1. Projects under construction stage located totally or partially in quarantined zones.** As a general rule, it is established that these must suspend their construction as long as the quarantine measures are in force. Notwithstanding, in the case title-holders of power generation project under construction are able to demonstrate that the suspension of the activities may create an alteration in the functioning of the electric system to which it pertains, it may exempt such project from the suspension, which shall be duly informed to the Ministry of Energy by means of an affidavit indicating the technical reasons in which its petition is substantiated. Titleholders of projects under construction within quarantined areas shall diligence the Unique Collective Permit of their workers and contractors and deliver to the Ministry of Energy the status of advance of the works and the reasons that support the necessity of continuing their activities.
- 2. Projects under construction located outside quarantined zones but next to the latter.** They may continue with their activities adopting all the corresponding sanitary measures, decreasing the number of workers and the transit to and from quarantined areas. Even though Ordinary 675 does not specify what is considered as "next to quarantined zones", it is understood that this refers to zones located within quarantined boroughs that are not affected by such measure.



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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- 3. Projects under construction located outside quarantined zones and their surroundings.** These projects may pursue their normal activities having to adopt the corresponding sanitary measures. Additionally, in case there are workers that need to transit from a quarantined zone to the area of the project, the titleholder shall diligence the Unique Collective Permit or such workers.
- 4. Projects under commissioning or operation stages.** Regardless if they are located within quarantined zones or outside the same but next to quarantined zones, they may continue with their necessary activities for the correct functioning of the essential works of such project, taking all precautionary measures and obtaining the permits through the “Comisaría Virtual” platform.