

## **Directorate General of Customs – El Salvador**

**26 March 2020**

### **PROTOCOL FOR THE MOBILITY AND LOGISTICS OF GOODS TO THE PANDEMIC COVID-19**

This protocol specifies the form of application of articles 1, 2 and 3 of the Law of Temporary Suspension of Concrete Constitutional Rights to Address the Covid-19 Pandemic, in that sense the application segments of these articles are detailed below under the principle of proportionality referred to in article 2 of the aforementioned Law:

1. The Logistics, Storage, Distribution and Freight Transport Sectors are considered as strategic and fundamental actors for the operation of Regional Trade, essential to satisfy and guarantee Food and Sanitary Security (Supply Chain).
2. The mobility of people may be restricted when the competent authorities determine such measure under pain of the application of the law. No foreign person may enter the national territory while the emergency lasts.
3. Every person, whatever their means of transportation, must limit their circulation in affected places or places that are at epidemic risk, starting from the visibly fixed sanitary cords (Art.2, Lit. b, of Legislative Decree No.593, National emergency state of the pandemic COVID-19).
4. The drivers of cargo transportation must be subject to compliance with the hygiene and prevention recommendations issued by the Ministry of Health; Likewise, they must use a mask, gel and plastic gloves during the entire process of entry, processing of the border operation and unloading of the merchandise, abstaining from bringing companions, to prevent the spread of the COVID-19 pandemic.
5. In accordance with the provisions of Article 12 of Legislative Decree Number 593, published in the Official Gazette Number 52, Volume 426, dated March 14, 2020, and in order to guarantee the supply chain, and that it works properly to avoid the shortage of all kinds of goods and services in the country, freight forwarders may have the necessary personnel, such as freight transport drivers who are over 60 years old, as long as they have the permits to handle and transfer of dangerous materials when appropriate, since their work is considered vital to avoid shortages in the market and to guarantee the Food and Sanitary security of our population.
6. In order to guarantee the continuity of the transport of the goods to their final destination, when it is identified that the driver of the cargo transport unit presents symptoms of poor health and determines the need to apply the established health protocols of Interinstitutional way by OSI (Oficina de Salud Internacional – International Health Office) and MINSAL (Ministro de Salud – Ministry of Health), we will proceed as follows:

- a) The Customs Authority will manage and facilitate the change of the driver of the transport unit so that it continues with its operation.
- b) The transport unit will remain parked at the border point, pending the authorization of the change of the driver. During their stay, the International Health Office of the Ministry of Health must proceed to carry out the respective procedure according to Health protocols.
- c) In the case of goods in international customs transit by land destined for another Central American country, the Customs Authority will manage the modification of the DUCA-T (Declaración Única Centroamericana – Tránsito, Central American Unique Declaration – Transit) with SIECA (Secretaría de Integración Económica de Centro América, Secretariat for Central American Economic Integration), and will state the circumstance that occurred in the physical document and will notify the countries of transit and destination about the change made.
- d) Managers of the different Customs of the Country, are obliged to inform in the Coordination Chat about these incidents and to request instructions, if cases are presented in this protocol.
- e) Any queries related to the application of the cargo transport driver substitution process, Managers of the Different Customs are empowered to evacuate and resolve doubts in this regard.

## **SUSPENSION OF TERMS AND LEGAL DEADLINES DUE TO THE STATE OF NATIONAL EMERGENCY AS A RESULT OF TO THE PANDEMIC BY COVID-19.**

The General Directorate of Customs, in compliance with the State of National Emergency declared through Legislative Decree number 593, and its reform through Decree No. 599, dated March 14 and 20, 2020, respectively, informs to Auxiliaries of the Public Customs Function, Trade Operators, Importers and Exporters, on the suspension of legal terms and deadlines, for a period of 30 days, counted from the day of the approval of the aforementioned Decree, related to the administrative procedures developed by this General Directorate and the different Administrations and Customs Delegations.

By virtue of the foregoing and in accordance with the aforementioned Legislative Decree, the administrative procedures covered by such suspension will be those referred to the procedure of legal liquidation of taxes and imposition of sanctions; to the procedure for determining the customs value; origin verifications and revision appeal.

The suspension in reference will not be applicable to the terms for compliance with tax and non-tax customs obligations, presentation of good declarations and cancellation of temporary or suspensive customs regimes; except for the following cases:

Cancellation of the free zone and temporary admission for outward processing regimes, as well as for the return of temporary transfers made by beneficiaries of the Industrial Free Zones and Marketing Law, because of the temporary closure of activities in the factories, ordered by the Presidency of the Republic, due to the State of Emergency, while it is in force.

- a) Authorizations for extensions of the Temporary Admission regime for beneficiaries of the International Services Law, provided that the user has submitted the request for an extension prior to the expiration of the term established in article 33 of the aforementioned Law. The suspension of this term will be effective during the processing of the extension request and until the corresponding administrative order is issued.
- b) Temporary Import Authorizations for Used Vehicles ARIVU, granted in accordance with the provisions of article 9 of Legislative Decree No. 383 dated July 22, 1995, which provides the rules for the importation of motor vehicles and other means of transportation, provided that the extemporaneous termination of the Authorization is caused by the migratory restrictions that have been established at the regional level, due to the pandemic by COVID-19.

The foregoing, in harmony with the provisions of articles 3 and 8 of the Organic Law of the General Directorate of Customs, which grant this General Directorate extensive faculties of control and application of the Customs Regulations.

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San Bartolo, Ilopango, 20 de marzo de 2020.