

CANOSA | Abogados

COVID-19

State of Emergency
Measures

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Dear clients and Friends,

We are experiencing new times, VUCA times (volatile, uncertain, complex and ambiguous). It is our intention to keep you informed so you can take the best decisions during this tough period.

We have prepared this document including a compilation of all the regulations related with the emergency originated by Covid19. We will keep you informed on any changes to these measures.

Stay at home and take care!

REGULATIONS OF THE EXECUTIVE POWER

EMERGENCY DECREE (“ED”) 297/2020

It established the preventive and mandatory social isolation as from 20th of March until 31st of March of 2020. People shall remain at their residences, refrain from commuting to their workplaces and will not be able to move at routes, roads and public spaces. They can only leave home for essential reasons and for the procurement of food, cleaning products and medicine.

People who perform activities and services declared as essential during the emergency are exempted from the isolation and the prohibition to circulate. These people should have a special permit, which can be obtained digitally through the means enabled by each jurisdiction.

ED 260/2020

Extends for a year the declaration of public emergency for public health reasons.

Declares the mandatory quarantine for 14 days for those persons who described as “suspected cases”. These are, those who have some of the symptoms of Covid-19, and those who have travelled to the “affected zones” among the prior 14 days or have been in contact with confirmed or suspected cases.

International flights from “affected zones” are suspended for 30 days.

Finally, the decree sets for the suspension of all kinds of massive events.

ED 274/2020

Sets for the prohibition to enter the national territory for the period of 15 days as from March 16 for foreign people non-resident in Argentina by any means and access routes.

ED 287/2020

During the term of the emergency, the jurisdictions, government agencies

and entities are enabled to perform direct contracts for the supply of goods and services needed in relation to the emergency, without having to follow the rules of National Contracts or specific regimes applicable

TAX

General Resolution (GR) AFIP 4686/2020

SIRADIG. The filing of Form 572 Web for the purpose of workers reporting the concepts to be deducted from Income Tax for the period 2019 may be performed until April 30, 2020 (prior to the GR, the obligation expired on March 31, 2020).

GR AFIP 4685/2020

The compulsory use of the service with the tax code “Digital Presentations” was arranged for all communications and procedures to be carried out with the AFIP from March 20, 2020 to June 30, 2020.

GR AFIP 4684/2020

The suspension of the precautionary measures corresponding to those corporations that have the quality of Micro, Small and Medium Companies is extended until April 30, 2020.

GR AFIP 4683/2020

Extends until June 30, 2020 the transitory validity corresponding to the plans of admissible payment facilities, number of installments and applicable financing interest rate.

GR AFIP 4682/2020

Determines the extraordinary fiscal recess as from 18 to 31 March 2020.

During this period, the terms established in the procedures in course before AFIP linked to the application, collection and supervision of the taxes in their charge will not be computed.

Decree 300/2020

95% reduction in employer contributions in relation to employers belonging to health-related services, establishments and institutions for a period of 90 days to be counted as from March 20, 2020.

Rate of 2.50/1000 for credits and debits in current account in the case of employers corresponding to establishments and institutions related to health for a period of 90 days from March 20, 2020

MIGRATIONS

Disposition 1644/2020 National Migrations Agency

It suspends temporarily the entry to the national territory and the process of any type of temporary residences to people abroad who are nationals or coming from China, South Korea, Iran, United States, United Kingdom, Northern Ireland, the EU and the Schengen area.

JUDICIAL

Disposition 4/2020 National Supreme Court

It declares holidays the days from 16 to 31 of March of 2020 for the judicial processes before all courts in the National Justice, without affecting the process steps already accomplished or to be accomplished.

The rule also establishes that the courts will provide minimum and indispensable services during this term, for which reason attention to public is suspended, except for indispensable proceedings.

Grants a license to all the judicial power personnel included in the risk groups and in those courts where there is some suspicious or confirmed case of Covid-19. At these specific courts, all the employees have an exceptional payed leave.

Res. 514/2020 National Supreme Court

Adoption of the preventive measures disposed by the National Health Ministry for the prevention of coronavirus (Covid-19).

Res. 106/2020 National Ministry of Justice and Human Rights

It suspends for the term between March 16 and March 31 of 2020 the mediation hearings under Law 25,589 in the civil and commercial areas.

Disposition 6/2020 National Supreme Court

Declares an extraordinary judicial recess for the Federal and National Courts included in the judicial power from March 20 until 31 March, term that could be extended for the same term the Executive Power declares.

EDUCATION

Res. 103/2020 National Ministry of Education

Criteria to act in case of suspicious or confirmed cases of coronavirus in education institutions, being it of managerial staff, teachers, auxiliary staff or students.

Res. 108/2020 National Ministry of Education

Suspension of lessons in all educational levels for 14 days as from the 16th of March.

LABOUR REGULATIONS

Res. 219/2020 Ministry of Labor and Social Security

Workers with tasks that can be performed from isolation will be exempted from commuting to their workplaces. Workers and employers will agree the way in which the tasks will be carried out.

Those working under this modality will receive their regular remuneration. In those cases where it is not possible, the workers will receive the amounts received will be deemed as non-remunerative except contributions to the

national social security and contributions for the retirement and pension,

Res. 202/2020 Ministry of Labor and Social Security

Suspends the duty to attend to the workplace according to section 7 of ED No. 260/2020.

Res. 207/2020 Ministry of Labor and Social Security

It provides for a payed leave for those people in the risk groups as defined by the national sanitary authority.

It also grants licenses to those agents in the public and private sector with minor children (the license is granted only to one of the persons in charge of the child).

Res. 21/2020 Superintendence of Labor Risks

It sets that the employers who enable their workers to work from their residences under the special circumstances of the sanitary emergency will need to notify the Insurer of Labor Risks in which they are enrolled.

Res. 23/2020 Superintendence of Labor Risks

Approves the regulatory protocol for attention to patients by Medical Comissions, its delegations and the central Medical Commission by reason of the sanitary emergency,

Res. 25/2020 Superintendence of Labor Risks

Suspension of all recursive administrative terms for the proceedings in course before the Superintendence of Labor Risks by reason of the sanitary emergency as from March 16 and for a term of 30 administrative working days.

Res. 26/2020 Superintendence of Labor Risks

It sets forth a reduced attention to public in the Superintendence of Labor Risks, it also contains regulations about the ways of attention to public in accordance with the sanitary emergency.

Res. 4/2020 Superintendence of Labor Risks – Administration of Medical Commissions

Complete cease of activities for the Medical Commissions, its delegations and the central Medical Commission until 31 March.

Res. 3/2020 Chief of Cabinet Ministries – Secretariat of Public Employment

Grants licenses and provides for remote work for 14 days with complete payment of salaries for the workers of the Public Administration included in the description of section 7 of the ED 260/2020.

Administrative Decision 390/2020 Secretariat of Public Employment

It establishes the mechanisms to carry out in order to comply with the work leaves and remote work in the national public sector.

Res. 238/2020 Ministry of Labor and Social Security – Secretariat of Labor

As from 16 march 2020, it suspends for the term of 30 days all electoral processes, assemblies and ordinary/extraordinary congresses and all acts that imply transport and reunions of people of all trade unions registered in the Secretariat of Labor.

SOCIAL SECURITY

Res. ANSeS 79/2020

It sets forth a reduced attention to public of ANSeS as from 17 March until 15 April 2020. ANSeS would only

Establece un esquema reducido de atención al público de ANSeS a partir del día 17 de marzo y hasta el 15 de abril del 2020. Solo se atenderá a aquellos que cuenten con un turno previo asignado.

Res. ANSeS 79/2020

It suspends the need to submit life certificate by retired and pensioners of

the National Integrated Retirement and non-contributory pensions during March and April 2020.

HEALTH

Res. 233/2020 Superintendence of Health Services (SHS)

Sets for a reduced scheme for the attention to the public from the SHS since 17 March until 15 April 2020.

Res. 627/2020 Ministry of Health

Instructions to comply with the measures of isolation and social distance taken to minimize the expansion of the virus.

It also considers as people included in the risk group those with chronic respiratory diseases, chronic heart diseases, diabetic patients, persons with chronic kidney failure, and cancer patients, among others.

Res. 60/2020 y 63/2020 National Disability Agency

As from 18 March until 31 March 2020, the following activities in favor of disabled people are suspended: day centers, educational therapeutic centers, centers of job training, schools, ambulatory rehabilitation centers, doctor's offices, educational support, support teachers, special schools and all kinds of transport.

ADMINISTRATIVE

Decree 298/2020

Suspends the course of the terms within the administrative processes regulated by the Administrative Procedures' Law No. 19.549, the Regulation of Administrative Procedures' Regulation and other special procedures.

Resolution 98/2020 Internal Trade's Secretariat

Suspends procedural deadlines in all proceedings pending by laws 19.511 (Metrology); 22.802 (Commercial Loyalty); 24.240 (Consumer Defense);

25.156 (Competition Defense) from 16 to 31 of March 2020.

Suspends hearings within the scope of the Previous Conciliations in Consumer Relations' Directorate (PCCRD) from March 16, 2020 to March 31, 2020.

Resolution 10/202 General Inspection of Justice

Suspends the deadlines for answering observations and transfers and for the presentation of compliance with information regimes from 16 to 30th of March 2020.

Resolution 37/2020 Associativism and Social Economy's National Institute

Suspension of the administrative procedural terms from March 16, 2020 to March 31, 2020.

Resolution 29/2020 Financial Information Unit (FIU)

Suspension of deadlines in administrative summaries from 17 to 31 March 2020.

Suspends monitoring procedures in course from March 17 and until March 31, 2020.

HOTEL ACTIVITY

Resolution 126/2020 Ministry of Tourism and Sports

Instructions for the implementation of Decree 260/2020 in the hotel sector.

The provision includes: (i) preventive sanitary measures in common spaces (disinfection, ventilation, ensuring distance in common spaces of at least two meters, etc.); (ii) prevention measures for staff (affidavit of health, training for staff on the recognition of symptoms of the disease); (iii) isolation measures for people from areas of sustained transmission without symptoms. Hotel establishments may refuse tourist guests from affected areas.

In the event that the personal hotelier becomes aware of the presence of guests from affected areas that do not comply with the isolation measures,

the personal hotelier must file the corresponding criminal complaint.
In addition, hotels may refuse to host Covid-19 symptomatic individuals.

TRANSPORT

Resolution 60/2020 Ministry of Transport

Prevention measures. Increase in actions aimed at maintaining essential hygiene conditions for vehicles, rolling stock and vessels in service for operators of automotive, rail, maritime, river and lake transport services. The same behaviors must be carried out in terminals and each one of the railway stations.


Likewise, the aforementioned agencies are required to disseminate the information provided by the Ministry of Health and Covid-19 crisis prevention committees are created for each area of the transport sector.

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