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Uruguay: Free Zones



By HQTG on Wed, 09/30/2015 - 16:52

“ *The following report was conducted by Ruben Sosa E. Silva, head of the Office of Management Group IGMASA in Uruguay, and with whom our firm has signed A Professional Strategic Alliance.* ”

Free Zones (ZZ.FF.) originated in Law No. 7,593 who sought to develop and promote the industry within the country. Subsequently, Law No. 15.921 [1] of 17 December 1987 and Regulatory Decree 454/988 [2] of July 8, 1988 will be proceeded to the creation of the current 12 ZZ.FF. that they exist throughout the country.

The primary objective of these ZZ.FF. the incentive of investments, both foreign and domestic, promoting export competitiveness and the creation of jobs of a high level of training and, at the same time, sustainable over time.

The activities that can be developed within these spaces are diverse such as commercial, industrial and / or service activity. These activities may involve transformation of goods, storage, assembly and disassembly of shipments, services from ZZ.FF. to third countries and, in some cases, to Uruguay.

While ZZ.FF. MERCOSUR are extra territory and they are subject to the Common External Tariff (CET) for the transit of goods, there are some exceptions in the bilateral agreements Uruguay has signed. Specifically, sales from ZZ.FF. They are included in trade agreements with Chile, Israel, Mexico, India, Ecuador, Venezuela and Colombia. In addition, the agreements with Argentina and Brazil include products from the ZZ.FF. of Colonia and Nueva Palmira (include the goods produced by the company PepsiCo, wheat, barley, malt barley and soybeans). [3]

The activities of users ZZ.FF. They are exempt from all national taxes created or to be created; it is also important to note that Uruguay has signed 31 Agreements for the Promotion and Reciprocal Protection of Investments (BITs) with third countries and ZZ.FF. They are covered by such agreements. However, as detailed in Article 25 of the Law, *"The state, under the responsibility of damages, assures the user, during the term of his contract, the tax exemptions, benefits and rights that remembers him."* Article this ending investments to ensure users of ZZ.FF.

Currently in the parliament a bill called *Special Economic Zones* amending Law No. 15,921. This project seeks to make some adjustments to current regulations, focusing on: first, **upgrade and specialize objectives**, and secondly, **expand regime as a way of encouraging the activities of interest to the country and achieve national development boost.**

This amendment to the law intended to replace the current name of Free Zones by the name of **Special Economic Zones**, and to change the term of "exploiters" by **"developers"** who would be providing the infrastructure to WTC, Zona America,

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Aguada Park, etc. . In turn, new objectives such as increasing the capacity of national manpower, increase domestic value added impetus to the activities of high technology and innovation, decentralization of economic activities and regional development are incorporated.

The authorization of SEZs for industrial activity in areas outside the metropolitan area is contemplated [4] and if they meet certain characteristics that are expected in the bill.

While all these changes are important, there are two changes in the law that should highlight more important.

- **Thematic areas Services**, this amendment seeks to promote areas of interest such as health care, leisure and entertainment; audiovisuals. Indirectly, brings flexibility modifying some regulatory issues that prevented the retail trade within these areas.
- **Minimum national workforce**, a substantial change going to require that 75% of employees in any activity, should be national to maintain the same percentage for industrial and commercial activities and reduce the figure to 50% in activities set service delivery.

With respect to these amendments last 09/09/2015, in the Economy section of the newspaper El País, an article in which two investment projects related to the topics Services (Zones was published describing // [www: http.elpais.com.uy/economia/noticias/ciudad-salud-mini-hollywood-uruguay.html](http://www.elpais.com.uy/economia/noticias/ciudad-salud-mini-hollywood-uruguay.html)). One in the area of Health of around \$ 200,000 investment and another in the Audiovisual area. They have everything ready to begin the project, it only remains to hope that the parliament approved the draft law amending the current regime.

[1] See: [http://www.parlamento.gub.uy/leyes/AccesoTextoLey.asp?Ley=15921&Anchor =](http://www.parlamento.gub.uy/leyes/AccesoTextoLey.asp?Ley=15921&Anchor=)

[2] Véase:

http://www.aduanas.gub.uy/innovaportal/v/7634/3/innova.front/decreto__n%C3%82%C2%B0_454_988.html

[3] The agreement with Argentina only covers the ZF Cologne. Véase:

[http://www.aladi.org/nsfaladi/textacdos.nsf/b3198303bf8b318403256fc50052d176/001b3dd58303d40c03256d57004bf45f?](http://www.aladi.org/nsfaladi/textacdos.nsf/b3198303bf8b318403256fc50052d176/001b3dd58303d40c03256d57004bf45f?OpenDocument)

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[4] Metropolitan Area is considered the geographical area is located within 40 km from the center of Montevideo. See: http://archivo.presidencia.gub.uy/sci/proyectos/2013/07/mef_1226.pdf

Buenos Aires, October 01, 2015.-

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