



RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIRs](#) | [Help](#)

26 January 2005

PER43327.E

Peru: Follow-up to PER43055.E of 29 October 2004 on the maximum length of time that permanent residents can remain outside of Peru without losing their residency status; whether permanent residents would lose their status if they failed to pay the annual permanent residency fee; if so, the procedure for having their status reinstated

Research Directorate, Immigration and Refugee Board, Ottawa

In correspondence dated 10 January 2005, the Migration Integrity Assistant at the Embassy of Canada in Lima stated that the General Directorate for Migration and Naturalization (Dirección General de Migraciones y Naturalización, DIGEMIN) had advised her that the Regulation of Foreign Status (Reglamento de extranjería), mentioned in Article 1 of the Law on Foreign Status (Ley de extranjería) (Peru 5 Nov. 1991), does not exist. The Migration Integrity Assistant also learned from the DIGEMIN that information on entry and exit requirements pertaining to foreigners may be found in the Unified Administrative Procedures Text (Texto único de procedimientos administrativos, TUPA) of the Ministry of Interior (Ministerio del Interior).

However, while the TUPA does indicate that individuals wishing to renew an expired residency visa must pay a fine equivalent to US\$50 for every three months following the expiry of the visa, no information could be found in this document as to the length of time that permanent residents can remain outside of Peru without losing their residency status, or whether they would automatically lose their status if they failed to pay the permanent residency fee (Peru 2002).

Under the terms of Law No. 13053 of 31 December 1958, foreigners who have the status either of immigrants or non-immigrant residents must obtain an identity card, which will remain valid so long as its holder pays an annual fee (Peru 31 Dec. 1958, Art. 1-2). Those who fail to pay the fee for three consecutive years may be expelled from Peru (*ibid.*, Art. 4; *ibid.* 22 Sept. 1920, Art. 6), as provided for under Article 6 of Law No. 4145 of 22 September 1920.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection.

References

Embassy of Canada in Lima. 10 January 2005. Correspondence from the

Migration Integrity Assistant.

Peru. 2002. Ministerio del Interior. "Texto único de procedimientos administrativos."

<<http://www.mininter.gob.pe/filemanager/download/660/TUPA%20-%20DIGEMIN>> [Accessed 21 Jan. 2005]

_____. 5 November 1991. Decreto legislativo no 703 del 5 de noviembre de 1991: Promulgan la Ley de extranjería.

<<http://www.acnur.org/biblioteca/pdf/01188.pdf>> [Accessed 21 Oct. 2004]

_____. 31 December 1958. Ley no 13053. Estableciendo los pagos para obtención de Carta de Identidad, por los extranjeros no inmigrantes residentes e inmigrantes. <<http://www.congreso.gob.pe/ntley/LeyNumeP.htm>> [Accessed 14 Dec. 2004]

_____. 22 September 1920. Ley no 4145. Extranjeros peligrosos.

<<http://www.congreso.gob.pe/ntley/LeyNumeP.htm>> [Accessed 14 Dec. 2004]

The attached reproduction is a copy of an official work that is published by the Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.