SCHEDULE XXXV - PERU

Imposition of Import Surcharges

Addendum

The permanent representative of Peru has transmitted to the secretariat the text of the Law of 25 November 1963, establishing, inter alia, the import surcharge of 10 per cent ad valorem. The text is reproduced hereunder.

The Congress of the Peruvian Republic has passed the following Law:

Article 1. The stamp tax collected through the Register of Goods Purchased Abroad is replaced by an additional 10 per cent ad valorem tax which will be collected in the same manner, at the same time and by the same procedure as is laid down by Law No. 11424.

Article 2. An additional tax is instituted at the rate of 8 per cent, which will be payable once only, on sales of the following luxury, non-essential articles and services and will be collected in the same manner and at the same time and by the same procedure as applies to the stamp tax on the Register of Sales:

- brilliants, diamonds, rubies, pearls and, in general, every class of precious stones and genuine jewels set or unset;

- furs of mink, ermine, chinchilla, fox and, in general, every kind of similar fine fur in whatever form;

- perfumes and cosmetics in general;

- wines, spirits, beer and any kind of alcoholic beverage and such like except domestic wines and brandy;
- motor vehicles and light vans costing more than 130,000 soles, or
  140,000 if for a public service; lorries, omnibuses and such like
  are excepted;

- articles for adornment or decoration and such like, made from crystal,
  porcelain, glass, ivory, jade, hard stone, lamps and similar articles
  of wood or leather except where intended for scientific, medical or
  educational purposes;

- manufactured articles, including watches of gold, silver, platinum and
  other precious metals in general;

- fabrics of silk, velvet, wool and cotton and other materials or of
  synthetic materials not for industrial, medical, scientific or
  educational purposes, except domestic products;

- yachts and boats with or without engines and such like for personal or
  sporting use. Also so-called trawl boats not built in Peru;

- cigars, cigarettes, cheroots, pipe tobacco and such like, except where
  the sale price does not exceed 2 soles per packet of 20 cigarettes;

- carpets, rugs, mirrors, picture frames and similar articles;

- imported petrol for motor vehicles;

- phonograph records of whatever speed or number or revolutions per
  minute except classical music and educational records;

- phonographs, gramophones and other similar apparatus whether with cat-gut
  mechanism or motor; electrolas, radio-electrolas, recorders and such
  like;

- cinematograph film cameras of every type, hand and automatic photographic
  cameras, cinematograph projectors of every type and size, prismatic and
  such like in general, except those used for scientific, medical and
  educational purposes;

- tablecloths, bedspreads, dressing table covers, table covers, rugs and
  carpets, pillows, cushions, mattresses and such like, except where of
  domestic manufacture;

- ice cream, soft and hard sweets, caramels, chewing gum, marzipan,
  preserved fruits, nougat and such like in general, except where of
  domestic manufacture;
- dryers and similar articles except cookers and refrigerators for domestic or industrial use; and

- the gross amount of invoices for the sale, maintenance and servicing of luminous advertisements, notices, signs and, in general, every kind of outside visual advertising in streets and public places or visible therefrom.

Article 3. For the purposes of payment of the tax to which Article 2 of the present Law refers, manufacturers and traders shall record daily in the sales register which they are obliged to maintain in conformity with Law No. 11833, in special columns, their receipts from the sale of the goods and services to which the above-mentioned article refers. On the basis of the above totals they shall pay the tax at the period, in the manner, at the time and by the procedure laid down in the Stamp Law. Failure or omission to pay this tax will be punished in accordance with the provisions of the Stamp Law covering such cases.

Article 4. The taxes to which this Law refers are independent of any other tax levied on imports, documents, goods or services; and their whole yield, without deduction, is payable to the Treasury of the Budget of the Central Government.

Article 5. Exemption from the taxes to which the present Law relates may only be obtained, including the case of State undertakings, by special law, except where covered by laws for the encouragement of industry or by international agreements.

The Comptroller General of the Republic shall not sanction any exemption from import or additional taxes which is not covered by a specific law.

Article 6. The following items are exempt from the tax established by Article 1 of the present Law: the basic foodstuffs listed in the Official Journal of 24 March 1961, medicines in general, objects d'art, books and other cultural matter mentioned in Law 13710, together with seeds and agricultural machinery and implements, radios, television sets and cookers for domestic use, bicycles, velocycles, and goods imported by officially approved co-operatives which deal with their members.

Article 7. For the purpose of better control of the collection of the present taxes, the Executive is empowered to vary the time and frequency of payment of the tax.

Article 8. As from 1 January 1964, the yield of the taxes established by Laws Nos. 12995 and 13119 shall be payable permanently to the Treasury, Revenue Department of the Budget and the Central Government, subject to the same exceptions and procedures as the said laws provide.
Article 9. All provisions which conflict with the present Law are hereby abrogated.

Additional article. The present taxes are intended to meet the deficit in the 1964 budget. The Executive shall submit the draft budget for 1965 drawn up in accordance with the norms laid down in the Agrarian Reform.