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**Abstract** This paper presents systematic background information for a study of the costs of exchange in Peru, examining the registration of new firms and their export procedures. It is part of the Ronald Coase Institute Costs of Exchange project conducting empirical research on transaction costs. The objective is to improve instruments for measuring the opportunity costs of transacting, and then to use those instruments to study transactions around the world.

Initially this paper describes the general economic context of Peru and the garment industry, and examines the detailed structure of the garment industry during recent decades. It then maps out the legal regulations concerning two basic procedures for firms: registering formally and exporting goods. It estimates the costs associated with these procedures. A Peruvian entrepreneur's own experiences in registering and exporting are presented as a case study, along with an interview guide.

**Keywords** Costs of exchange, transaction costs, informal sector, entry costs, Peru, Latin America, registering a firm, exporting

**JEL classification** K20, O17

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# Starting a Garment Manufacturing Firm in Peru: Background and Case Study

Miguel Jaramillo\*

with the collaboration of Namasté Reátegui\*\* and Carlos Calderón\*\*\*

## I. Introduction

This paper provides background information for a systematic study of the costs of exchange in Peru, focusing on the registration of new firms and export procedures in the Peruvian garment industry. It is one of the initial products of a project conducting empirical research on transaction costs.<sup>1</sup> The objective is to develop improved instruments to measure the opportunity costs of transacting, and to use those instruments to study transactions around the world.

Informality in developing countries is a persistent phenomenon. Explanations of its causes have shifted over time from structural dualism to costly regulations. De Soto (1986), for example, argued that in Peru entry regulations and procedures were so time-consuming and costly that entrepreneurs of modest means produced and subsisted in informality. To the extent that such high costs are a clear indicator of a high-transaction-cost environment and considering the importance of this for economic development, it is surprising how little empirical research has been done to test this thesis or to monitor these costs over time.

This paper looks at one particular sector of an economy characterized by a large informal sector and sets out to map the legal regulations concerning two basic procedures for firms: registering formally and exporting goods. It also estimates the costs associated with these procedures. Two features make the garment industry an interesting sector to examine in this context. First, it is a sector where micro, small- and medium-sized firms predominate in terms of numbers, if not in terms of output. Second, it is one of the fastest growing industrial sectors in Peru in recent times, and thus one that holds promise for the development of a dynamic small- and medium-sized enterprise sector there.

The methodology consists of identifying the regulations that deal with registering formally and exporting goods, through an examination of local rules and norms and consultation with legal experts. Once the regulations are identified, the costs associated with compliance

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<sup>1</sup> The Costs of Exchange Project conducted by the Ronald Coase Institute (RCI-COE). See [www.coase.org/research.htm](http://www.coase.org/research.htm).

are estimated. To complement these data, a case study of a specific entrepreneur's experience with these procedures was conducted. The general conclusion is that the costs associated with formal registration do not seem large when compared with those estimated by de Soto (1986). The costs of exporting goods also do not seem large. However, the experiences of individual entrepreneurs differ according to the type of firm they register and where they register it, since municipalities have a significant degree of autonomy in establishing licensing and registration requirements. Thus, collecting information from a larger sample of entrepreneurs would be a natural next step for establishing both the average level of these costs and their variation across firms.

The text is organized in six sections, beginning with this introduction. Section II describes the general economic context of the country and of the garment industry, and Section III examines the structure of the garment industry in greater detail. Section IV charts the legal framework for registering a firm and for exporting goods. It also offers estimates of the associated costs. Section V presents a case study, and Section VI offers some conclusions. Three appendices provide detailed descriptions of the steps involved in registering and exporting, plus the interview guide used for the case study.

## **II. The Economic Environment of the 1990s and the Garment Industry**

### **The Macroeconomic Context**

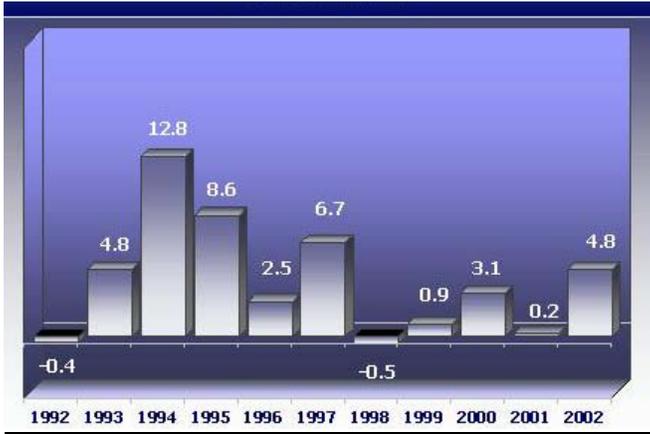
In August 1990 the government of Peru started a program oriented towards regaining economic stability. The main objectives were the elimination of hyperinflation (daily rates of 40%-50% had been reached by 1989), the reintegration of the country in the international financial system, the reestablishment of macroeconomic order, and the solution of the balance of payments crisis. Along with the orthodox program intended to reduce macroeconomic imbalances, the government decided to implement a set of structural reforms very much in line with the Washington Consensus. The resounding failure of the heterodox policies that had been implemented by the government of Alan García was one impetus. At the same time, a set of reform recommendations was becoming powerful in Latin America that had as central axis a greater confidence in the market as the best mechanism for allocating resources. The poor performance of state institutions during the previous decades, reinforced by the terrible handling of public sector finances generally and public enterprises particularly by the end of the 1980s, made it easy to justify the drastic change of direction towards a market economy. In addition, multilateral institutions exerted pressure, and the new financial resources available had as a condition the gradual implementation of many of these reforms. All this provided a strong incentive to implement the reforms (Jaramillo and Saavedra 2003).

The structural adjustment in Peru involved a large set of reforms oriented to 1) restoring the basic macroeconomic balances (reform of macroeconomic policies), and 2) granting a greater space to markets in the allocation of resources, redesigning the role of the state in economic activity, and promoting private initiative. The set of structural reforms included the liberalization of foreign trade and also tax reform. The tariff system had had a complex structure, with high average levels and considerable variance. This was turned into a generally simpler structure, with few exceptions. Concerning taxes, the main objective was

to simplify and modernize the system and to improve the administration of taxes. Other reforms were aimed at generating more dynamic markets, beginning with making the labor market more flexible, deregulating the financial system, and opening the capital accounts of the balance of payments. Simultaneously, an aggressive process to privatize public companies began. These reforms were focused mainly towards creating better conditions for private investment, as well as promoting competitiveness. Many of these reforms, as well as fiscal policy, were strongly influenced by the political swings of the government. By the end of the decade, within a context of serious political instability and a prolonged recession, the direction of the economic model was not clear.

During the years following the structural adjustment, Peru maintained discipline in its fiscal accounts and managed to grow consistently until 1997. Then the Peruvian economy entered a deceleration process. Figure 1 shows trends in GDP over the decade 1992-2002 in terms of annual rates of change. One can distinguish a period of significant growth (1993-1997) followed by stagnation (1998-2001). In 2002 improvements occurred in all sectors of the economy. The outstanding areas were mining (11.2% up), fishing (3.6% up) and agriculture (5.8% up) in the primary sector; and electricity and water (5.2% up), and manufacturing (4.2% up) in the non-primary sector.

**Figure 1. Peru: Gross domestic product 1992-2002  
(Percent change from previous year)**



Source: INEI

\*January – November 2002

**The Garment Industry in the 1990s**

Between 1992 and 1997, the garment industry experienced continued growth, thanks in good part to an increasing outward orientation. During these years the garment industry grew 4.8% per year. Clothing exports expanded from US \$80 million early in the decade to US \$680 million by the end of the decade, becoming the main manufacturing export. In 2002 clothing exports made up 25% of total non-traditional exports and 8% of total exports.

Commercial liberalization encouraged important changes in the garment industry, as well as technological upgrading. Firms reoriented their production to international markets,

taking advantage of the good quality of the products, competitive prices in some international markets (United States and European countries, for example), and the country's privileged geographical location *vis-à-vis* the US market. Although the garment industry increased its exports during this decade, other factors of the economic reforms were not favorable for the promotion of the garment sector. For example, commercial liberalization also reduced tariffs on imports. Consequently, garment firms faced increased import competition in a market with low spending power. (This did encourage greater outward orientation.) Also, a high exchange rate made Peruvian exports less competitive. In spite of these conditions, the garment industry grew thanks to export dynamism, based on the good quality of products and raw materials, and because of the effort of many firms to compete in international markets.

According to official statistics, at the end of the decade the added value generated by the garment industry was US \$600 million. This official number does not take into account the added value of a vast group of micro and small enterprises. A recent survey of micro and small enterprises in five Peruvian cities suggests that the importance of micro and small firms is small, and that their total aggregate output is less than US \$100 million. In terms of added value, this would represent around US \$50 million. Consequently, an important characteristic of the garment industry is that large firms generate most of the added value in the sector. During these years, 25 firms generated more than 50% of the added value (US \$381 million) and 83% of total exports.<sup>2</sup>

Recently, the implementation of the Andean Trade Promotion and Drug Eradication (ATPDEA) has contributed to prospective growth in this sector. This program provides Peru with duty-free access to U.S. markets for approximately 5,600 products (including clothes and other products of the garment industry). Before ATPDEA, products such as garments had to pay a 21% tariff, which is now eliminated (Paz 2002). This program therefore represents a great opportunity for Peruvian firms to increase sales to the United States. The government expects that sales to the United States will grow on the order of 18% per year between 2003 and 2006, and that this will continue to be the largest market for garment products. In 2002, exports to the United States represented 60% of total exports.

According to estimates by the economic studies department of a private bank, ATPDEA will motivate the creation of more than 135,000 jobs by 2006, as well as investments of more than US \$340 million in machinery and equipment to expand the capacity of the firms, among other aspects.<sup>3</sup> In spite of this optimistic scenario, it is likely that only some enterprises will benefit from ATPDEA. Practically all the export firms are medium or large enterprises with state-of-the-art equipment and trained personnel. With these characteristics they can produce the high-quality products that international markets demand. On the other hand, most micro and small enterprises do not have new equipment and trained personnel to produce this type of goods, so they focus their production on local markets (particularly poor sectors) or, at best, neighboring countries. Subcontracting relations between large and small firms are rare, though a few government and NGO programs are now promoting them.

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<sup>2</sup> Source: National Institute of Statistics (INEI), ranking of the 3,000 largest firms in Peru.

<sup>3</sup> Banco Wiese, Informe Trimestral, Department of Economic Studies, 2002.

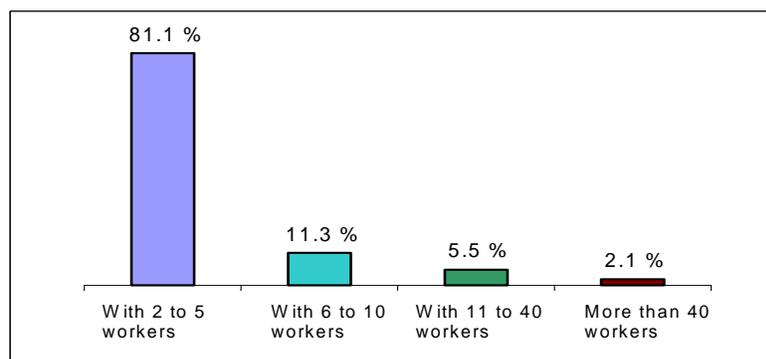
### III. Structure of the Garment Industry

To describe the principal characteristics of the garment industry we have used two sources: The Pre-Census Registry conducted by the National Institute of Statistics (INEI) in 1999 and the Annual Manufacturing Surveys conducted by the Ministry of Industry, Tourism, Integration, and International Negotiations (MITINCI) for 1998-2000.<sup>4</sup> The Pre-Census Registry has information about firms with 2 or more workers and the Annual Manufacturing Surveys (with much more reliable data) have information about firms with 5 or more workers.

#### Size of Firms

According to the 1999 Pre-Census Registry, more than 90% of the firms in the garment industry had 10 or fewer workers, and only 2% of the firms had 40 or more workers (see Figure 2). However, in terms of employment, firms with more than 40 workers employ almost 40% of the labor force in this sector.

**Figure 2. Peru's garment industry: size distribution of firms**



Source: INEI, Pre-Census Registry (1999)

Elaboration: Instituto APOYO

#### Number of Firms

There are no precise statistics about the number of firms in this sector, because most of the official registries tend to underestimate the presence of micro and small firms. The most reliable statistics come from the Annual Manufacturing Surveys. These surveys classify firms that make products related to the garment industry into three groups: firms dedicated to preparing textile fibers and staple fibers (CIU 1711), firms dedicated to weaving fabrics (CIU 1730) and firms dedicated to making clothes (CIU 1810). Table 1 presents data for 1998-2000. For 2000, the Survey identified 2,656 firms in these three categories.

<sup>4</sup> Now under the Ministry of Production.

**Table 1. Peru: Number of firms in the garment industry 1998-2000**

<b>Firm type</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
CIIU 1711 Textile fibers and staple fibers	458	477	456
CIIU 1730 Weaving fabrics	588	619	589
CIIU 1810 Making clothes	1,640	1,723	1,611
Total garment industry	2,686	2,819	2,656
Total manufacturing industry	18,494	19,101	17,965

Source: National Manufacturing Surveys, 1998-2000

Elaboration: Instituto APOYO

## **Sales**

In spite of the existence of many micro and small firms, it is large and medium firms that produce the largest part of the sector's gross output value. At the end of the previous decade, the 25 biggest firms generated 50% of total sales. Table 2 shows total annual sales by different types of activity in the garment industry.

**Table 2. Peru's garment industry: total annual sales by type of activity, 1998-2000**  
**(Million US \$)**

<b>Firm type</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
CIIU 1711 Textile fibers and staple fibers	670	723	768
CIIU 1730 Weaving fabrics	360	412	488
CIIU 1810 Making clothes	655	782	754
Total garment industry	1,685	1,917	2,010

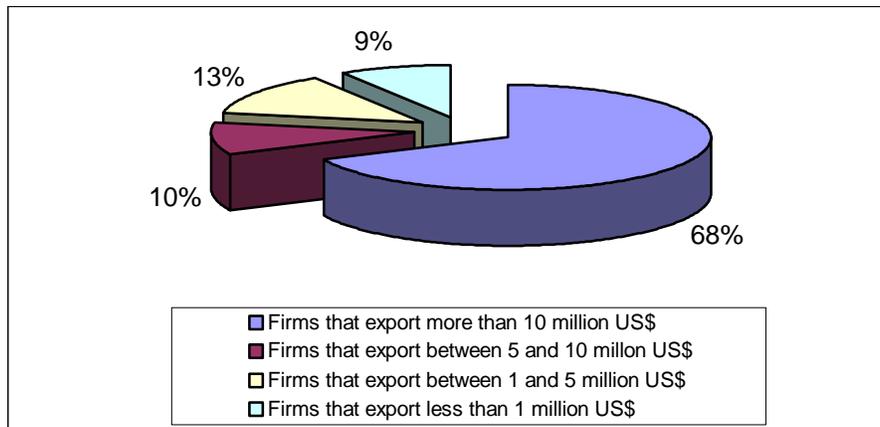
Source: National Manufacturing Surveys, 1998-2000

Elaboration: Instituto APOYO

## **Exports**

As mentioned before, international markets have a significant importance for the growth of the garment industry. However, exports are highly concentrated in a small number of large firms. According to statistics provided by the Export Promotion Agency of Peru (PROMPEX), in 2002, 28 firms were responsible for 78% of total garment exports.

**Figure 3: Peru's garment industry: Total export value by firm size, 2000**



Source: PROMPEX  
Elaboration: Instituto APOYO

Clothes are the most important type of exports. Last year they represented 80% of total exports. The main products were T-shirts (US \$101 million), shirts (US \$40 million), sweaters (US \$24 million) and blouses (US \$22 million), all of them made with cotton.

The United States is the most important market for exports (61.0%) followed by Venezuela (5.3%), Chile (3.9%), Ecuador (3.2%), Spain (2.9%), Italy (2.6) and the United Kingdom (2.6%). The government expects a continued increase in exports oriented to U.S. markets thanks to ATPDEA, so it expects the United States will continue to be the most important market for Peruvian garment products.

### **Informality**

The dichotomy “formal/informal” is not very helpful to describe firms’ relation with official regulation in Peru. Instead, one observes many different levels of formality, ranging from firms that have no registration in the formal system whatsoever to firms that have registered fully and comply with all tax payments and obligations. In addition, firms tend to be more formal regarding some aspects than others. Thus, formality concerning tax regulations is far more common than formality concerning labor norms (Robles et al., 2001).

The following chart sets out the requirements that firms must fulfill to be considered a fully formal firm.

**Chart 1. Peru: Requirements that firms need to fulfill to be formal**

1. Form of registration chosen
2. Searches
a. Commercial name (certificate of commercial search and commercial name reservation)
b. Trademark (search, registry, and publication)
3. Legal formation of the firm
4. Public registration
5. RUC registration
6. Municipal operating license
7. Authentication of the payroll and accounting books

It is a difficult task to determine the number of firms that fulfill all these requirements. Nonetheless, it is known that very few firms fulfill them all, and that these are mostly medium and large firms. This explains the difference between the number of registered firms according to the Tax Administration Superintendancy (SUNAT) and the registries of local governments.

A considerable number of firms do not fulfill any requirement and operate without any control by the government and its agencies. Unfortunately, estimates about how many firms are informal, their level of sales, exports, and average number of workers are not available. What is known is that the majority of informal firms are micro and small enterprises, oriented to local markets (Visser 1996).

Informal firms must face a series of obstacles to become formal, including cumbersome requirements (red tape) that cost significant time and money. However, the main problem is that, given their technological characteristics, informal enterprises cannot obtain all the benefits that formality can bring. For example, products made by informal firms generally are of low quality. This is because informal firms lack good equipment and trained personnel. In this situation, copyrights, trademarks and the fulfillment of export procedures are not as attractive. In addition, many of the firms start as subsistence and survival activities, rather than profit-seeking investment ventures. For this reason, many entrepreneurs are not focused primarily on the firm's growth, but rather on providing employment for family members. According to some estimates, subsistence and survival enterprises represent approximately 70% of total micro and small firms in Peru (Chacaltana and Chávez 1994).

Also, some studies have found that many informal firms prefer to avoid all contact with any government agencies, because they think that government agencies may take advantage of them or require bribes and harm them (Távora, 1994). So they prefer to remain informal,

rather than start the costly process of becoming formal. This is particularly true because partial formalization means a greater chance of being detected by the government.

Overall, survey data suggest that firms are more likely to be formal in some aspects than in others. For example, a survey applied to micro and small entrepreneurs shows that most of them have a RUC (taxpayer identification number) because they perceive some benefits of having this document, for example, enhanced access to markets (Robles 2001). However, they are least interested in complying with labor regulations.

#### **IV. The Institutional and Legal Framework for Registering a New Firm and for Clearing an Export Shipment through Customs**

The institutional framework plays a fundamental role in the development of an economy. Institutional arrangements directly influence the costs that economic agents have to confront, not only in concrete monetary terms, but also in terms of time, opportunities, and operation. Less developed countries like Peru have some deficient institutions, and economic agents perceive this in various elements. In a recent survey of entrepreneurs, they mentioned the following factors as barriers to the economy.

**Table 3. Peruvian entrepreneurs' perception of barriers that constrain firms' growth<sup>5</sup>**

<b>Barrier</b>	<b>Entrepreneurs emphasizing this barrier (%)</b>
Financing	21.8
Informality	10.5
Unpredictability of economic policy	9.3
Taxes	9.2
Transportation	8.7
Labor non-wage costs	6.8
Lack of sectorial policies	6.4
Insufficient demand	4.6
Legal insecurity	3.8
Regulation	3.4
Technological innovation	3.4
Labor quality	2.4
Commercial policy, partners	1.6
Raw materials (quality/price)	1.6
Private - public dialogue (including gremios)	1.6
Other	4.8
TOTAL	100

Table 3 shows that informality was the second most commonly mentioned barrier among these entrepreneurs. This reflects several concerns. Some firms are not fulfilling their legal requirements, thus generating an uneven playing field for competing firms. Also, there is a significant cost to fulfilling all the legal requirements. These excessive requirements also tend to breed irregular practices associated with obtaining or fulfilling requirements and procedures: as a result, corruption flourishes.

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<sup>5</sup> Corporación Andina de Fomento (CAF) and the World Bank, 2002.

## Registering a new firm

Almost all the rules regulating the administrative procedures for opening a new firm are laws or legislative decrees. Both types of rules are approved and amended by Congress. The Texto Único de Procedimientos Administrativos (TUPA) is not exactly a legal disposition. It is a document created to bring information to citizens about existing requirements, costs, and the administrative procedures that public administration carries out. It also aims at restricting the discretion of public officials, by not permitting them to demand requirements or fees beyond those established by TUPA.

In recent years there has been a worrisome dimension of infractions to the simplification of administrative regulation. Public authorities at all levels - national, regional and local - are responsible for these infractions, which harm the development of private investment. Out of 434 procedures initiated in INDECOPI<sup>6</sup> concerning the elimination of bureaucratic barriers, 84% were against municipalities that, while conducting their activities, ignored the law and affected citizens' rights<sup>7</sup>. In the case of district municipalities, the main problem is their functional dependency on provincial municipalities: the action of one is often harmed by the inaction of the other.

This section offers a brief description of the principal procedures and agencies involved in new firm registration. From the moment when someone decides to create a firm until its formal activities are initiated, the process has seven steps:

1. Choice of the form of registration (determined by type of firm)
2. Searches (concerning commercial name and trademark)
3. Legal formation of the firm
4. Public registration
5. RUC registration
6. Municipal operating license
7. Authentication of the books

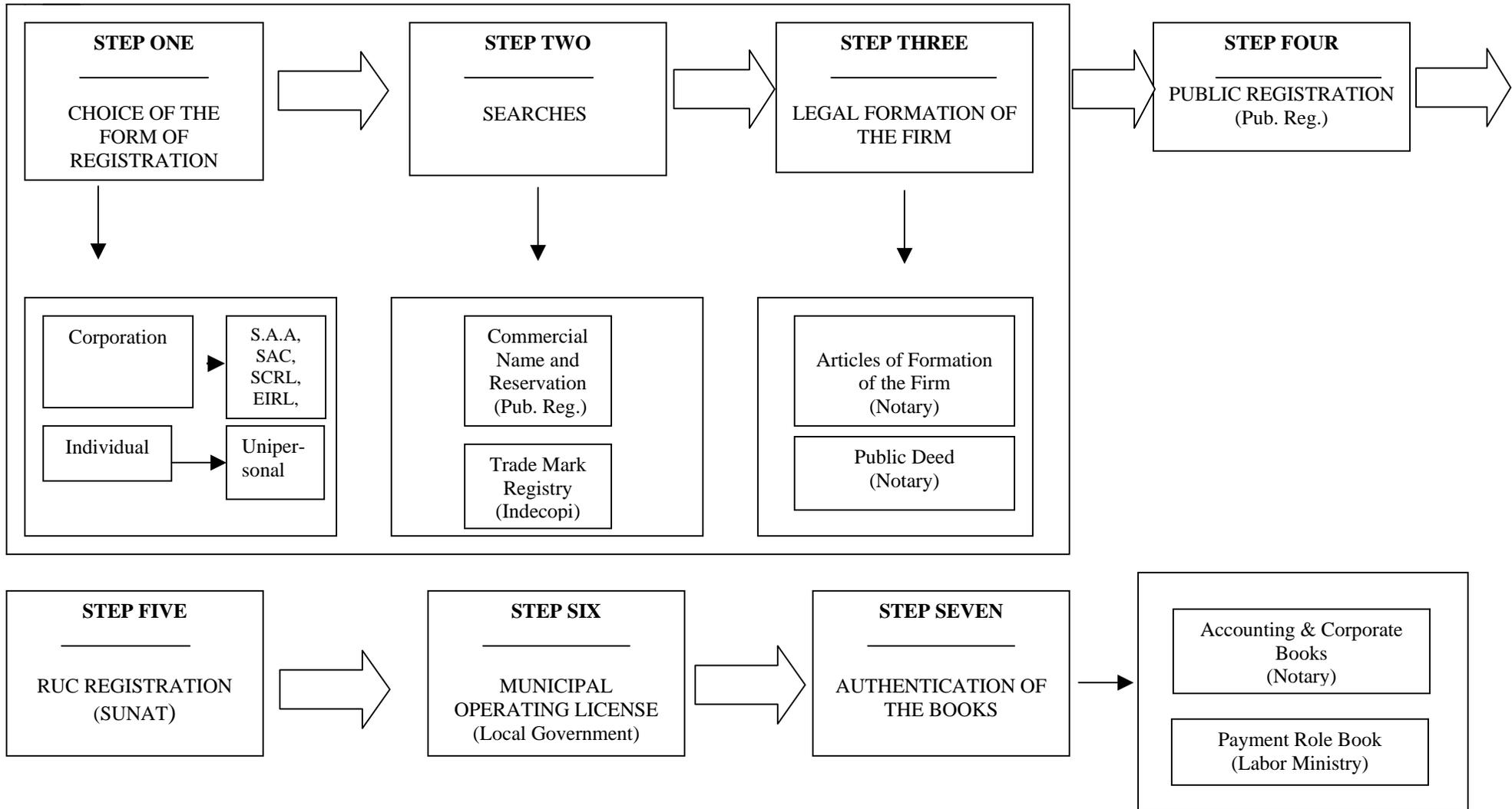
Chart 2 summarizes the overall structure of this process. Then Table 4 describes each step in more detail, including the relevant legal framework and the agencies involved. (Appendix I. offers an even more detailed account of each step.)

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<sup>6</sup> The Access to the Market Commission of INDECOPI is the authority in charge of supervising bureaucratic barriers to the market. It is an administrative agency.

<sup>7</sup> Instituto Nacional de Defensa de la Competencia y de la Protección de la propiedad Intelectual (INDECOPI) 2000.

**CHART 2**  
**PERU: OVERVIEW OF THE STEPS TO REGISTER A NEW FIRM**  
**IN THE GARMENT INDUSTRY**



**TABLE 4****PERU: PROCEDURES TO REGISTER A NEW FIRM**

<b>ACTIVITY</b>	<b>RELEVANT LEGAL FRAMEWORK</b>	<b>AUTHORITY OR AGENCY</b>	<b>PROCEDURE</b>
<b>CHOICE OF THE FORM OF REGISTRATION</b>		Future entrepreneurs	Future entrepreneurs decide on the type of firm that they will create. The Corporations Act (Ley General de Sociedades) allows two different types: those formed by individuals (natural persons), and those formed by corporations (juridical persons).
<b>CERTIFICATE OF COMMERCIAL SEARCH</b>	Corporations Act (Ley General de Sociedades)  (Law N° 26887)	Public Registry	The entrepreneurs choose a commercial name for their firm. For this, it is recommended (but not mandatory) to get a certificate of commercial search. This search will prevent future problems in the registration process.
<b>COMMERCIAL NAME RESERVATION</b>	Corporations Act	Public Registry	The entrepreneurs choose a commercial name for their firm. For this, it is recommended (but not mandatory) to get a commercial name reservation. This reservation will prevent future problems in the registration process.
<b>TRADEMARK REGISTRATION</b>	Corporations Act  Intellectual Property Act (Legislative Decree N° 823)  INDECOPI'S TUPA	National Institute for the Protection of Free Competition and Intellectual Property (INDECOPI)	Trademark registration allows a name or trade name to be associated with some product, trademark, or service. It is particularly needed if a firm is going to export goods. Three procedures are needed to obtain a trademark: trademark search (optional, but it prevents future problems in the trademark registration procedure), registry, and publication.
<b>LEGAL FORMATION OF THE FIRM</b>	Corporations Act  Notary Act (Law N° 26002)	Notary	The entrepreneurs must to go to a notary to request preparation of the articles of formation. These articles are the document in which the type of company and its form of administration are established. They also contain general information about the owner and the management of the firm. When the document has been prepared, it must be reviewed and signed by the holder, the entrepreneurs, and a lawyer. The notary then “elevates” it to the status of a public deed. It is then ready for the Public Registry.

<b>PUBLIC REGISTRATION</b>	Corporations Act Public Registry Act (Ley General de los Registros Públicos, N°) TUPA de los Registro Públicos	Public Registry	Once granted, the public deed must be registered at the Public Registry. The Public Registrar certifies and registers the document within 35 days maximum, in practice usually within 15 to 20 days.
<b>RUC REGISTRATION</b>	Corporations Act SUNAT'S TUPA Value Added Tax Act (Legislative Decree N° 821) Income Tax Act (Legislative Decree N° 774) Taxation Code (Legislative Decree N°	National Superintendent of Tax Administration (SUNAT)	The Registro Unico del Contribuyente (RUC), or Taxpayers' Registry, grants the firm a tax identification number, for control by the Superintendencia Nacional de Administración Tributaria (SUNAT), the National Superintendent of Tax Administration. With this number the firm can issue vouchers and receipts, and ascertain the kinds and dates of tax reporting and payments.  To obtain the RUC, the entrepreneur must know what kind of tax income or category his company will generate, according to its activity, as well as the tax regime under which the company will operate: (i) simplified regime (Régimen Único Simplificado - RUS), (ii) general regime (Régimen General); or (iii) special regime of the taxable income (Régimen Especial del Impuesto a la Renta - RER). The procedure to obtain the RUC can only be initiated after the firm has registered in the Public Registry
<b>MUNICIPAL OPERATING LICENSE</b>	Corporations Act Municipality's TUPA	District Municipality	Each municipality regulates its own procedure for obtaining an operating license, so the costs and requirements vary. It is possible to say that the complete procedure can last a month. The procedure is done at the municipality of the district in which the company will develop its activities. The operating license is good indefinitely.  For small and micro firms there is a special regime introduced by the Small and Micro Enterprise Act (Ley General de la Pequeña y Micro Empresa, Law N° 27268). This act permits small and micro firms to request a provisional operating license valid for one year. Within that time, the municipality makes the corresponding evaluations to give the license a definitive character.

			On the other hand, there are firms that, due to the type of activities, require the certification and approval of additional documents, as well as sectorial authorizations and permissions. These must be obtained from the corresponding public institutions. For example, to conduct mining activities, prior inscription in the Mining Registry is required.
<b>AUTHENTICATION OF THE BOOKS</b>	Corporations Act Labor Ministry's TUPA	Labor Ministry	Payroll book: Once the RUC has been obtained, the firm must acquire a payroll book to monitor the monthly registration of payments to its workers. This book must be certified by the Labor Ministry.
	Corporations Act	NOTARY	Accounting books: Firms must keep certain accounting books, depending on the form of registration chosen. Some need to be authenticated by a notary. SUNAT personnel are in charge of telling the company which accounting books it must keep, at the time of RUC registration.

**Note:** Step 2 (“Searches) in Chart 2 has been disaggregated into Procedures 2, 3, and 4 in this table.

In addition, firms must keep accounting and corporate books, depending on the form of registration chosen. SUNAT personnel are in charge of telling the entrepreneurs how many and which accounting or corporate books their type of company must keep.

Approximate costs for opening a new firm were estimated in a recent study conducted by Instituto APOYO.<sup>8</sup> They are shown in Table 5.

**Table 5. Peru: Estimated costs of registering a new firm<sup>9</sup>**

Procedure	Minimum Cost		Maximum Cost	
	In Nuevos Soles	In US Dollars	In Nuevos Soles	In US Dollars
1. Choice of the form of registration	-	-	-	-
2. Searches				
Commercial name				
Certificate of commercial search	S/. 3.0	\$0.86	S/. 3.0	\$0.86
Commercial name reservation	-	-	S/. 14.0	\$4.00
Trademark registration				
Search	S/. 38.8	\$11.07	S/. 88.7	\$25.33
Registry	S/. 424.7	\$121.34	S/. 424.7	\$121.34
Publication	S/.150.0	\$42.86	S/.250.0	\$71.43
3. Legal formation of the firm				
Notary fee	S/. 800.0	\$228.57	S/. 800.0	\$228.57
4. Public registration	S/. 400.0	\$114.29	S/. 400.0	\$114.29
5. RUC registration	No fee	No fee	No fee	No fee
6. Municipal operating license				
Certificate of zoning	S/. 165.0	\$47.14	S/. 165.0	\$47.14
Operating license			S/. 3,100.0	\$885.71
7. Authentication of the books				
Payroll book acquisition	S/. 25.0	\$7.14	S/. 40.0	\$11.43
Labor ministry authentication	S/. 31.0	\$8.86	S/. 31.0	\$8.86
Notary's authentication of accounting books	S/. 23.0	\$6.57	S/. 35.0	\$10.00
<b>TOTAL</b>	<b>S/. 2,065.0</b>	<b>\$588.70</b>	<b>S/. 5,351.4</b>	<b>\$1,528.96</b>

### Clearing an export shipment through customs

Exports from Peru are classified as either definitive or temporary. They are definitive if the goods leave the customs territory to be definitely used or consumed abroad. They are temporary if the national or nationalized goods leave the customs territory with the obligation to be re-imported again within a fixed time limit (either in the same condition or after being repaired, changed, or improved).

Foreign trade operations are ruled by the Customs Act (Ley General de ADUANAS) and its by-laws. In general, any person (individual or corporation) can export without prohibitions or non-tariff (bureaucratic) restrictions to trade of any type. Therefore, no consular licenses, opinions, certifications, previous registries, or agreements are required. There are some exceptions to this, based on sanitary reasons, protection of cultural heritage, and

<sup>8</sup> Instituto APOYO, 2003. These estimates are for a "standard firm" assumed to have S/. 10,000 (US \$2,587) of share capital, three directors, and one manager.

<sup>9</sup> The exchange rate used for this table is S/. 3.50 per US dollar.

conservation of flora and fauna, among others. The only requirement needed for administrative tax control is having a RUC number.

For exporting purposes, products are classified as traditional or non-traditional<sup>10</sup>. In previous decades, there were differences between these categories in terms of benefits granted by the government. Since trade liberalization in the early 1990s, the categories are treated equally in terms of customs proceedings and benefits.

Infractions of rules and obligations related to exporting may be administrative or criminal (fraud and contraband) in nature. The judiciary rules on and punishes customs-related crimes, without limiting the right of the National Superintendent of Customs (Superintendencia Nacional de Aduanas – ADUANAS) to collect duties and other charges. Thus, for example, failure to regularize the customs declaration (Declaración Única de Aduanas - DUA) is sanctioned with a fine of 0,1 UIT<sup>11</sup> as the initial amount, plus 0,25 UIT for every additional day until the DUA is regularized. The fine paid also includes interest and surcharges and does not exclude the possibility of confiscation of the goods.

The present study will analyze only definitive non-traditional product exports, since garment industry exports belong to this group. Definitive exports are not subject to any tax or duty<sup>12</sup> and are entitled to the refund of locally originated taxes<sup>13</sup>. ADUANAS is in charge of authorizing the exit of goods. This operation can only be carried out through seaports, fluvial and lake ports, airports, and qualified customs borders. Chart 3 shows that clearing an export shipment through customs is a process that begins with between-parties negotiations and concludes with a tax refund stage.

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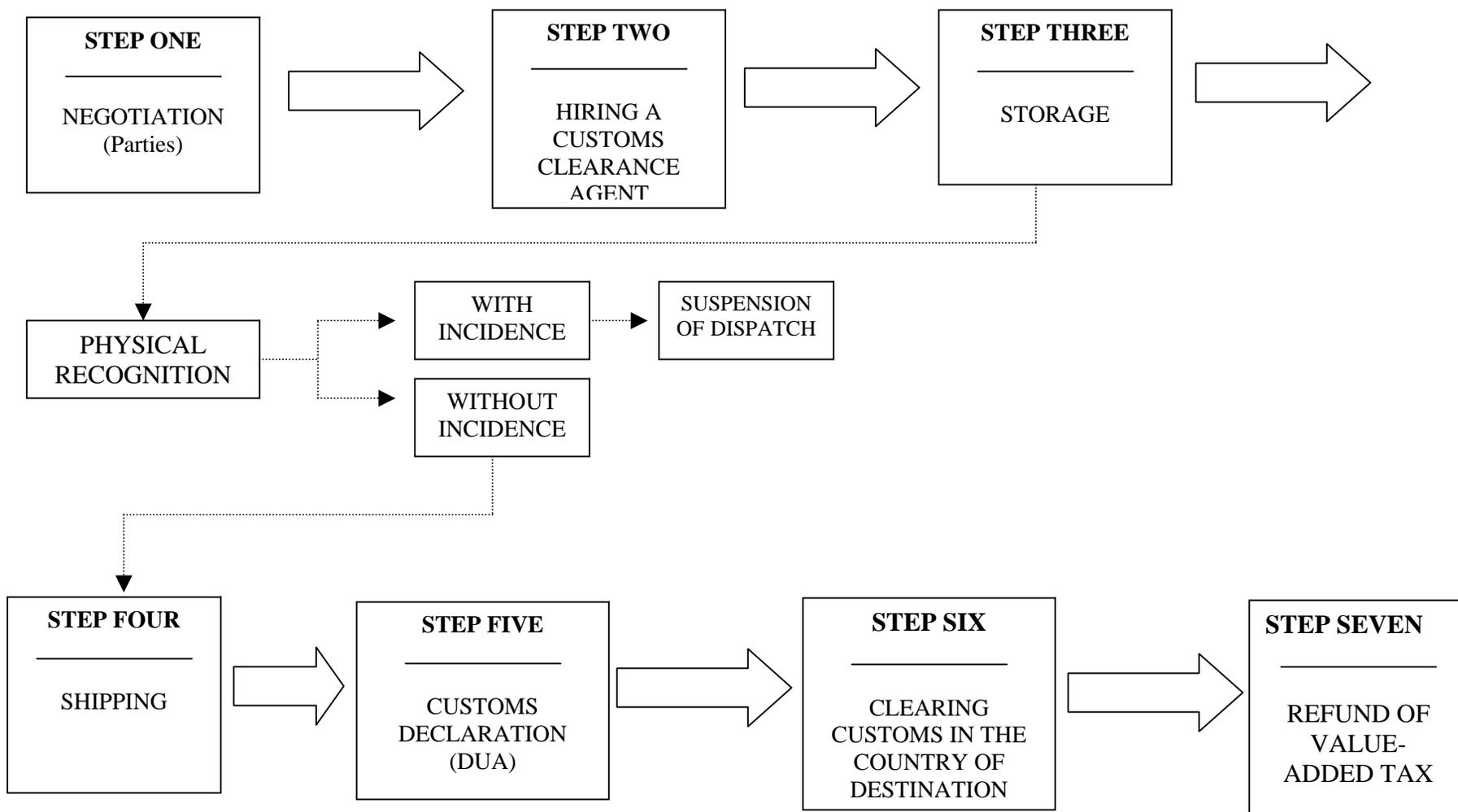
<sup>10</sup> Traditional products are those commodities of traditional production in the country. They usually have little value added, and their prices are set according to international markets. ADUANAS has elaborated a traditional product list that includes, among others, coffee, coca leaves, gold, silver, and gasoline. Non-traditional products are those not included in the aforementioned list and are characterized by having certain value added (transformation). Among them there are the garment industry, machinery, and wooden made goods.

<sup>11</sup> UIT is the abbreviation for Tax Unit (Unidad Impositiva Tributaria). Currently, 1 UIT is equal to S/. 3,100 (US \$885).

<sup>12</sup> For statistical purposes only, a no-value rate of 0% will be assumed.

<sup>13</sup> For further information about the tax refund principle, see Appendix II.

**CHART 3**  
**PERU: OVERVIEW OF THE STEPS TO CLEAR AN EXPORT SHIPMENT THROUGH CUSTOMS**  
**IN THE GARMENT INDUSTRY**



**TABLE 6**

**PROCEDURES TO CLEAR AN EXPORT SHIPMENT THROUGH CUSTOMS**

<b>ACTIVITY</b>	<b>RELEVANT LEGAL FRAMEWORK</b>	<b>RESPONSIBLE</b>	<b>PROCEDURE</b>
<b>NEGOTIATION</b>		Parties (Exporter and importer)	This step happens privately between the parties, as they agree on price, volume, method of payment, and shipping and handling conditions of the sale.
<b>HIRING A CUSTOMS CLEARANCE AGENT</b>	Customs Act (Ley General de Aduanas, Legislative Decree N° 809)	Exporter	Customs clearance agents are in charge of carrying out the procedures to obtain the different documents needed to transport the goods from the customs office of one country to the other. Not every firm needs to hire a customs clearance agent: it depends on the value of the goods exported. The main documents needed are the following: (i) commercial bill; (ii) certificate of origin; (iii) shipment order; (iv) packing list; (v) shipment knowledge; (vi) customs declaration (Declaración Única de Aduanas – DUA); (vii) transportation insurance policy (optional).
<b>STORAGE</b>	Customs Act	Warehouse	The official dispatcher of ADUANAS admits the goods into the primary zone (warehouse), and the warehouseman puts a seal of admission on the shipment order.
		ADUANAS	The SIGAD system randomly selects 5% of the numerated shipment orders to carry out the physical recognition (Reconocimiento Físico) procedure.  Physical recognition with incidence may end up with the suspension of dispatch of the goods.  Physical recognition without incidence
<b>SHIPPING</b>	Agreement between parties	Transportation company	After being admitted to the warehouse and passing the physical recognition procedure, the goods are shipped via the chosen means of transportation.
<b>CUSTOMS DECLARATION (DUA)</b>	Customs Act	ADUANAS	Once the shipping is concluded, and the goods have been dispatched, the official dispatcher has 15 days to regularize the export through the customs declaration (Declaración Única de Aduanas – DUA). The regularization procedure takes place in the export area of the same customs in which the shipment order was numbered.

<b>CLEARING CUSTOMS IN THE COUNTRY OF DESTINATION</b>	Customs regulation of the country of destination	Exporter or importer	Customs clearance in the country of destination may depend on the exporter or the importer, according to the parties' agreement in the negotiation stage. The exporter sends to the purchaser the following documents necessary to collect the goods from the customs of the country of destination: certificate of origin, the shipment order, commercial bill, and packing list.
<b>REFUND OF VALUE-ADDED TAX</b>	Customs Acts Value Added Tax Act	ADUANAS/SUNAT	Through this procedure, the exporter gets back the taxes he paid in the manufacture of the goods and/or services exported. Thus, the operation of the export of goods and services is not affected by Value-Added Tax (IGV).

#### **RELEVANT COSTS FOR CLEARING AN EXPORT SHIPMENT THROUGH CUSTOMS**

<b>PROCEDURE</b>	<b>MIN (in US \$)</b>	<b>MAX (in US \$)</b>
<b>CUSTOMS CLEARANCE AGENT</b> (includes the administrative acts to obtain every document needed for export)	60	90
<b>SHIPPING</b>	0.80 per kilo	1.10 per kilo
<b>CUSTOMS CLEARANCE IN THE COUNTRY OF DESTINATION</b>	80	100

Thus, for a shipment of 5,000 garments weighing approximately 400 kilos, and assuming that the exporter is in charge of customs clearance in the country of destination, the costs of the whole process would be US \$560 to \$630<sup>14</sup>

<sup>14</sup> These costs were described by Mr. Humberto Sánchez Palacios, President of the Chamber of Export for Small and Medium Enterprises (CAPYMEX).

Unlike the required procedures to register a new firm, in the case of exports there are habits and uses that make a difference between large and small exporter firms. Therefore we sought information about procedures and export operations in a conglomerate of small textile firms in a commercial area of Lima called Gamarra.

According to a qualified source<sup>15</sup>, small firms in the garment industry usually export to neighbor countries of the Andean Pact, and the typical firm's volume varies between 5,000 and 10,000 garments, in sales S/. 50,000 – 100,000 (US \$14,300 –\$28,600).<sup>16</sup> Depending on the size of the shipment, shipping is done by sea or by air; not because either is mandatory, but according to the relative cost of each.<sup>17</sup> Shipment by sea is used for greater loads, and it takes longer. If the sale varies between 5,000 and 10,000 garments, shipment by air is cheaper and faster.

On the other hand, there are up to six customs clearance agencies established in the Gamarra area, which lowers the costs of search for the small garment exporters. Also, there are many packing enterprises and, as it is not regulated, the exporters themselves are able to pack their own goods.

Unlike big garment exporters:

- Small firms do not end up the negotiation stage with international contracts, although they are supposed to bring reliable mechanisms of enforcement, because they do not trust the judiciary. Small garment firms therefore contract based on good faith: they would rather lose the goods and the money than go through a judicial process for breach of contract (which in Peru is usually slow, expensive, and unpredictable<sup>18</sup>).
- Small firms do not use insurance other than that which the airline grants along with the transportation ticket.
- Small firms do not use brokers or intermediaries to contact their customers abroad. They usually meet them in international fairs or similar encounters, via the Internet, or through common contacts.
- Ninety five per cent of their sales are made in cash and without the intervention of banks or credit documents.
- They do not import their inputs directly; instead, they buy imported items through other firms. Therefore, there will not be a special section describing the procedures and rules for clearing import shipment through customs.

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<sup>15</sup> Mr. Humberto Sánchez Palacios, President of the Chamber of Export for Small and Medium Enterprises (CAPYMEX), provided the information.

<sup>16</sup> S/. 50,000 denotes 50,000 nuevos soles - the currency of Peru.

<sup>17</sup> The greater the total volume, the lower the cost of sea transport per unit.

<sup>18</sup> For further information about small enterprises' perception of the judiciary, see Instituto APOYO 2002.

## V. Case Study: Costs of Exchange for A Garment Firm

### Description of the selected firm and how it compares with the average

The small firm selected for this case study is located in the Gamarra conglomerate, in the district of La Victoria, Lima, Peru. Gamarra is one of the principal conglomerates of micro and small firms in the country. According to the Chamber of Small and Medium Exporting Firms (CAPYME), 20,000 firms are located in Gamarra. They employ 180,000 people in different activities, primarily in the textile and garment industry. There are also galleries and stores, suppliers of raw materials, and customs clearance agents in Gamarra.

The entrepreneur of this firm, designated here as Mr. Newfirm,<sup>19</sup> is its sole proprietor and manager. He has been working in the garment industry for many years. He began as an employee and now has his own firm. He is a typical Gamarra entrepreneur, so many of the experiences of his firm are applicable to other small firms in the conglomerate.

Mr. Newfirm is the sole owner of the firm. He does not want partners because he considers it a problem to coordinate with other people and to share benefits, so he prefers work by himself. His firm has ten workers, including himself. In addition to this, his wife and two sons work in some key activities, such as contacting customers, selling in the store, and doing administrative work. Thus a total of 13 people work in the firm. He is now moving from Gamarra to the district of El Agustino because he considers it a better place to work. Meanwhile, he is keeping his store in Gamarra to sell his own production and to contact new customers.

Mr. Newfirm, like many other entrepreneurs in this area, produces and sells women's clothes (pants, blouses, and skirts). He describes the production process as consisting of three stages:

- Pre-assembly (design, fabric preparation, making/grading/nesting/marketing of patterns and cutting);
- Assembly (materials handling, sewing, fusing, overlock stitching and coating);
- Finishing (pressing, washing, coloration, bleaching, printing and embroidery).

His production process is labor-intensive: machinery is used, but many activities are manual.

In the small firms of Gamarra, many entrepreneurs try to have all these activities under their direct control. To achieve this, the entrepreneur and his workers have to work many hours, including Saturdays and holidays. An important characteristic of the organization of work is that entrepreneurs try to participate in every stage of the production process. In addition, they buy the raw materials, sell, contact customers, and do administrative work. Other employees have specific activities (like sewing, printing, coating, etc.). Mr. Newfirm recognizes that this is a big problem among Gamarra entrepreneurs because they cannot do all the work and supervise every aspect as thoroughly as they would like, but they have to do this work because they lack qualified personnel. He pays US \$170 per month per

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<sup>19</sup> The entrepreneur's name has been changed to protect his privacy.

machinist (he has 8) and US \$250 for an accountant. These salaries are average in Gamarra. His wife and two sons do not receive any pay.

This year has not been a good one for Mr. Newfirm because he has not exported anything yet. This has an impact on his volume of sales. This year, his monthly sales are approximately US \$10,000, but if he exports, his sales can increase about 50% per year. Last year he exported US \$90,000 of goods to Chile, Venezuela, Colombia and Ecuador, like many other small firms in Gamarra. He told us that for small entrepreneurs it is a fluctuating business, but that he hopes to improve his situation and to export. He would like to export to the United States, but he cannot fulfill the quality standards of American customers because he does not have the equipment and the qualified personnel. This is the problem of many small entrepreneurs. Therefore, large and medium firms located outside Gamarra are the ones that export garments to the U.S. market.

Mr. Newfirm does not import raw materials directly. He buys all of them from wholesalers in Gamarra because he identifies benefits from these relations. For example, the wholesaler advances him credit and if he is a good customer he will not have problems with raw material quality. He does not think about importing raw materials directly because he considers it is not necessary and he cannot save enough money. Many Gamarra entrepreneurs prefer imported raw materials (from China, Korea or Taiwan) because the quality is good and they are cheaper than domestic ones.

Incredible though this may sound, Gamarra firms try to do all their operations without using credit. Mr. Newfirm finds this to be the best way. He has a bad opinion of banks and other formal financial intermediaries because the interest rate that he would have to pay is very high and the strict conditions of the loans are difficult to fulfill. Also, to obtain credit from banks is not easy because these intermediaries ask for many requisites. Mr. Newfirm had a bad experience with a bank last year. Some customers delayed their payments so he did not have the money to meet his financial obligations and the bank did not understand this situation. Now, he receives credit only from two wholesalers to buy raw materials, and from two or three customers to start an order. The wholesalers advance him credit to buy raw materials, and he has one or two weeks to pay them. Wholesalers are also more tolerant concerning delays in payment.

Competition in Gamarra is very intense because almost all firms produce women's clothes. When we asked about his competitors and how many of them were informal, he said that it is very hard to estimate how many firms are in the business and competing in the same market. He explained that he had to compete with thousands of firms in Gamarra alone. Some of them are informal, but he could not say how many. Also, micro and small firms have to compete with Asian products - from China, Taiwan and Indonesia basically, countries that produce clothes with low prices for different kinds of markets. He said that Asian firms produce goods of high, medium, and low quality: the good quality items are intended for American and European markets, while the medium and low quality items are designed for Latin American markets. As a consequence of this competition, many Peruvian firms have closed.

As a measure of productivity we use monthly sales per worker. For this firm, monthly sales per worker are US \$800. Different firms in Gamarra reach different levels of sales per

worker; some use better machinery, for example. One survey found that the average firm in Gamarra sells US \$1,148 per month per worker, so Mr. Newfirm's firm is below average<sup>20</sup>. The same survey found that average sales per worker in small firms in Gamarra are greater than in other zones (which averaged US \$600 per worker) because of the benefits that the Gamarra cluster gives to entrepreneurs.<sup>21</sup>

Mr. Newfirm indicates that his present level of sales is US \$9,000 a month. He is now working with 8 machinist-employees and an accountant and spends approximately US \$1,800 on personnel. Other major expenses are the purchase of raw materials and administrative expenses (paying taxes, bills, etc.), but he did not give an estimate of these expenses. He said that he earns US \$1,100 monthly with this level of sales, but this is not exact because his income fluctuates each month. With this level of sales and profits he cannot think of buying new machinery: he must wait for better times.

### **The firm's experience in registering**

The steps required for opening a new firm depend on the form of registration the firm chooses. Mr. Newfirm chose the unipersonal form of registration, so he needed neither public deed nor articles of formation. Registration in the Public Registry was optional, and he chose not to do this. In terms of Chart 1, he carried out steps 5, 6, and 7 only (RUC registration, municipal operating license, and authentication of books).

- **Tax registration (getting a RUC number)**

Mr. Newfirm said this procedure was very simple and quick (about an hour or less, in the morning), and that he did not encounter any surprise or trouble during the process. This procedure was carried out by his accountant. The accountant earns S/. 800 per month, and the procedure took him two hours, so the cost to Mr. Newfirm to obtain his RUC number was S/. 6 plus S/. 2 transportation. (The RUC registration procedure has no associated fees.)

Mr. Newfirm said that since his accountant carried out the procedure, he did not know what documents were required for that.<sup>22</sup> He said that he understands that all unipersonal firms are required to furnish the same documentation. Questioned about how he got information on how to comply with the rules for obtaining a RUC number, he said that every entrepreneur knows that a RUC number is required to initiate commercial activities.

He stated that during this procedure he did not have to pay either a fine or face any other penalty for not complying with the rules, nor a bribe or any extra cost. He also said that there have not been any changes in the rules governing this procedure.

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<sup>20</sup> Mr. Newfirm himself characterizes this as a bad year for his firm.

<sup>21</sup> Visser, 1996.

<sup>22</sup> For further information on the documents required for a unipersonal firm to obtain a RUC number, see Appendix I, step 5.

Finally, he said that he would not pay anyone to carry out this procedure, because it is very simple. He would not be willing to do it for someone else for pay, because he does not have enough time to help anyone else out.

- **Municipal operating license**

Mr. Newfirm said that he obtained his license more than 20 years ago, so he does not remember how long the process took. He added that he is aware that currently it takes 15-30 days to obtain it.

Given that he himself carried out the procedure and that his salary is very variable, he could not say how much he “paid” for that step. He indicated that he first pays his staff, then pays for his inputs, then pays for other operational expenses, and then takes the remainder. This implies that his salary depends on the volume of sales. He would say that S/. 3,000 may be a reference point, but he could not be precise about it.

Questioned about the costs of fees or stamps for this procedure, he answered that costs depend on the municipality. For instance, he said, in La Victoria municipality, it is more expensive than in El Agustino municipality. He added that in La Victoria, the fee is S/. 400, but the service is very bad. Although he did not know about the quality of service in El Agustino, it is cheaper (S/. 250), so he is thinking about getting a license there.

The documents required in La Victoria Municipality for an operating license are the following: the plan of location of the firm, the rent contract or the deed if the entrepreneur owns the place, and an affidavit of the assessed value of the place.

Asked about how he got information on how to comply with the rules in this procedure, he said that by the time he wanted to start his firm he knew what he had to do, and other entrepreneurs at Gamarra guided him and advised him on this procedure.

He stated that he has never received a fine for not complying with the rules, but he knows that others have. He believes that the fine is 1 UIT. He also said that he did not have to pay any other extra costs such as bribes during the procedure.

Since obtaining the operating license is not a procedure that needs to be carried out frequently (it is a one-time event), we asked him if he’d had to do any updating lately. Mr. Newfirm said that four years ago he started an actualization procedure and so far he has been unable to complete it because of administrative problems in La Victoria Municipality. He personally handles the paperwork, but he finds it difficult to say how much time and money it is taking. He has had to go several times to the Municipality and spend two to three hours each time because of deficient service (lack of information, going from one office to another, and so on).

He pointed out that his case was particular, because an actualization procedure does not usually take this long, but he had problems with his previous license. Apparently, when he got his previous license the procedure was done incorrectly, so now he must present his application again. The problems he encounters in this procedure are burdensome proceedings, lack of information, long waiting lines, bad treatment from municipal employees, and unqualified and changing personnel,

Finally, the entrepreneur said that facilitators (“tramitadores”) charge S/. 20 to sort out the license in a normal situation, not including fees and documents.

- **Authentication of the books**

Mr. Newfirm does not keep any kind of accounting books, although he should do so.<sup>23</sup> Nevertheless he has never been caught by authorities.

After being asked about the whole procedure of registering a new firm, Mr. Newfirm was asked about informality and his firm. He stated that he never ran his firm informally. He explained that by the time he wanted to start his firm, he already knew that there were paper work and different procedures to follow in order to constitute his firm and pay taxes.

He believes that being formal brings some benefits, like the possibility to export, to have greater access to customers, and to have no need to hide from SUNAT and/or municipality supervisors. Nevertheless, he added, these are potential benefits, because what is important in Gamarra is to obtain orders and customers. Formality makes it easier to accomplish that goal, but it does not guarantee it. It is a question of luck and contacts.

### **The firm’s experience clearing an export shipment through customs**

Although Mr. Newfirm said that his firm does export, so far in 2003 he has not exported at all. Last year, he exported approximately six shipments. He usually exports to Ecuador, Chile, and Venezuela. He stated that he does not export to the United States because that market demands high quality, very good finishes, and top technologies and materials that he does not have.

He stated that in his experience, export procedures are simple and there are no problems in the procedure. In all the times he has exported, procedures lasted the same. However, he did identify some problems in clearing customs in the destination country: sometimes goods were lost on the way and the importer could not get them as agreed.

Each export shipment last year was between US \$15,000 and US \$20,000 in value approximately. The volume of exports, like the volume of domestic sales, is very variable, and so is the ratio of exports to total sales.

His most recent export shipment, valued at US \$15,000, went to Venezuela. Mr. Newfirm said that the operation took two to three days, from contacting the customs clearance agent until the goods reached the country of destination (this is usually a neighboring country, so the distance is not considerable). This time average does not include the one needed to obtain the Certificate of Origin, when is the firm who carries out the procedure to obtain it (Customs Clearance Agents usually does it, and its costs are included in the agents’ fee). In this case, the only document required to make an export operation was the Certificate of Origin, and it was the entrepreneur himself who followed the procedure to obtain it, which took him approximately an hour to be stored out.

Mr. Newfirm said that Gamarra entrepreneurs typically export small shipments, for which customs clearance agents charge them US \$60 - \$80. If the shipment were bigger and

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<sup>23</sup> For further information about what kind of books unipersonal firms keep, see Appendix I, step 7.

heavier (enough to need a container), this charge would be higher. Mr. Newfirm does not use credit documents or bank intermediation for his export operations, although he knows they are safer mechanisms.

He stated that during export operations, he has not had to pay a fine or face any other penalty for not complying with the rules. Neither has he had to pay a bribe or any other extra cost. He also said that there have not been any changes on the rules governing export procedures.

When asked how he obtained information on how to comply with the rules concerning export operations, he said that he had to figure it out with other entrepreneurs in Gamarra, who led him and advised him on this procedure. He also had to ask in the customs clearance agency located in Gamarra.

## **VI. Conclusions**

1. In the case study examined, the entrepreneur chose the unipersonal form of registration for his new firm and did not have to carry out steps 1 to 4 of the process, so his registration costs were considerably lower than for many other firms. Since RUC registration requires no official fees, his costs for that step were solely his time costs, and he indicated that it was not a long procedure. Of the remaining steps he had to follow, obtaining an operating license seemed the most troublesome. Costs and procedures vary from municipality to municipality and so does the discretion of the municipal authorities, causing significant uncertainty. He mentioned that many other small entrepreneurs in Gamarra also have had problems obtaining their operating licenses, so it is possible that this is the longest and most burdensome step.

2. Small entrepreneurs are do-all executives. The time they spend seeking to obtain an operating license is time that could otherwise be invested in seeking more customers or increasing the firm's volume of production.

3. Unipersonal firms have both advantages and disadvantages. They do not have to follow all the steps that a corporation needs to take when starting. However, in a unipersonal firm the assets of the firm are not separated from the assets of the individual owner. The individual owner therefore faces high risks when contracting loans, because banks and other financial institutions are entitled to recover the firm's debts by seizing his personal assets (home, TV, savings, and so on). Most small firms in Gamarra are organized as unipersonal firms, so if they do not pay their debts, their owners may lose everything.

4. It is important to stress that general conclusions cannot be derived from the single case study we have presented in this paper. Individual entrepreneurs' experiences with the procedures may vary according to factors such as type of firm and municipality where registration is done. Also, the opportunity cost of the time invested by the entrepreneur or his employees in the processes has to be considered.

5. Exporting seems to be relatively simple and inexpensive. Problems in this procedure appear related to handling, shipping, and clearing customs in the country of destination, rather than in the administrative or bureaucratic barriers within the domestic setting. Small

entrepreneurs are limited in the quantities they export because of the demand for high quality by other countries or because of their lack of contacts associated with exporting.

6. In recent decades, administrative simplification has been the trend in the public sector in Peru. In spite of the improvement, problems remain, mainly related to bureaucratic behavior of public employees and the legal framework, which is still rigid in some aspects. For instance, the public registry demands a fee for registration based on the share capital of the firm (3x1000), when there is no difference between the registration procedure of a small and large firm.

7. Concerning the questionnaire, note that for unipersonal firms – the majority of small firms in the garment industry – questions related to firm registration in the public registry are not applicable. If the questionnaire is administered to 50 small firms in the garment industry, most of them probably will not be able to answer that part of the survey.

8. Specific information about investments, fixed asset values, and financial information is very difficult to obtain. Most small entrepreneurs do not keep balance sheets and other accounting documents, or if they do, they keep them in disorder. Furthermore, most small entrepreneurs are not willing to reveal this kind of information.

9. Information about volume of sales, number of workers, and exports in this sector is highly variable and suggests that these may vary from one moment to the next.

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To obtain the various legal rules involved in the process of registering a new firm, we consulted legal databases like the Sistema Peruano de Información Jurídica del Ministerio de Justicia (SPIJ). In addition, to corroborate and to obtain additional data, we used the Portal of the Peruvian Government ([www.perugobierno.gob.pe](http://www.perugobierno.gob.pe)), the Legal Norms section of the official newspaper El Peruano ([www.editoraperu.com.pe](http://www.editoraperu.com.pe)) and the digital legislation service of the Congress ([www.congreso.gob.pe](http://www.congreso.gob.pe)), in their respective Web sites.

## APPENDIX I. STEPS TO REGISTER A NEW FIRM<sup>24</sup>

### STEP 1. CHOICE OF THE FORM OF REGISTRATION

**a) Individual (Unipersonal Firm).** It can be formed only by individuals (natural persons), and it keeps its status as long as it is dedicated to commercial activities. The owner is in charge of the management of the firm and is personally responsible for the firm's commitments and debts, even with his/her personal assets. Unipersonal firms can have employees if they are registered in the Labor Ministry.

To initiate its activities, a unipersonal firm does not need a public deed or articles of formation. Its inscription in the Public Registry is optional. In order to register, the owner must present an application along with the following information:

#### Information required in the application to register a unipersonal firm

- Name, last name, civil status, age, and nationality of owner
- Name of the spouse, if any
- Type of activity of the firm (industry, commercial)
- Commercial name
- Commercial address
- Branches, if any
- Date of beginning activities (previous or posterior registration)
- Other

**b) Corporation (Sociedad Anónima and Empresa Individual de Responsabilidad Limitada).** This type of firm is considered a corporation and is formed by partners, who can be natural or juridical persons. The Corporations Act (Ley General de Sociedades) specifies various kinds of firms:

**b.1. Empresa Individual de Responsabilidad Limitada (EIRL).** Only individuals (natural persons) can form this type of corporation. The firm has a single owner (natural person), and the owner's assets and liabilities are differentiated from those of the firm.

**b.2 Sociedad Anónima.** Can be of different types:

**b.2.1 Sociedad Anónima Ordinaria.** A corporation formed by shareholders, individuals, or corporation.

**b.2.2 Sociedad Anónima Cerrada.** Cannot have more than 20 shareholders and does not need to have a directory.

**b.2.3 Sociedad Anónima Abierta.** Exists when one or more of the following conditions are fulfilled:

- (i) It has more than 750 shareholders.

<sup>24</sup> Individuals (unipersonal firms) only have to follow steps 5 to 7.

- (ii) More than 35% of the capital belongs to 175 or more shareholders, not considering the shareholders who each have less than .2% of the total share capital.
- (iii) All the shareholders entitled to vote approve the adoption of this regime.

**b.3 Sociedad en Comandita.** Has two types of partners: collective and silent. Collective partners have common and unlimited liability; silent partners are liable only up to the amount of capital they contributed. This kind of corporation can be simple or by actions. It is simple when the share capital is not and cannot be divided by actions or stock. In this case, the rules for Sociedad Colectiva are applicable. It is by actions when its share capital is totally divided by actions. In this case, the rules for Sociedad Anónima are applicable.

**b.4 Sociedad Colectiva.** The partners (and there must be at least two) are responsible in a common and unlimited way.

**b.5 Sociedad Comercial de Responsabilidad Limitada.** The share capital is divided in equal, accumulable, and indivisible participations. They cannot be incorporated either in stock form or denominated “shares”.

The Corporations Act does not require a minimum share capital to constitute a firm. Therefore, the minimum share capital is the amount needed to open a commercial bank account. This amount may be S/. 1,000 soles or US \$500, depending on the bank. There are exceptions: for companies dedicated to complementary services (fumigation, security, monitoring, cleaning) and services it is mandatory to have a minimum share capital of 5 UIT.

**STEP 2. SEARCHES (CERTIFICATE OF COMMERCIAL SEARCH, COMMERCIAL NAME RESERVATION, AND TRADEMARK REGISTRATION)**

The certificate of commercial search is drawn up to demonstrate that there is no identical or similar name already registered. The commercial name reservation allows one to reserve a commercial name for 30 days (renewable).

To obtain trademark registration, a search must be conducted for antecedents in the Institute of INDECOPI. If desired, the trademark can be registered immediately. Fifteen days after paying the trademark registration fee, a notice must be sent for publication in El Peruano, the official newspaper.

### **STEP 3. LEGAL FORMATION OF THE FIRM**

#### **Information in the articles of formation**

- Form of registration (EIRL, SAC, SAA, etc)
- Statute (regime of the governing bodies)
- Information about the titular and the partners (name, last name, address, civil status, nationality, occupation, RUC number, DNI number, etc.)
- Firm's assets
- Designation of the firm's initial manager

The public deed is the document worked out by the notary to register the company in the Public Registry. The notary requires the following documents to create the public deed:

- Articles of formation (original and a copy)
- Valuation report (goods provided)
- Affidavit of reception of goods provided
- Bank certificate of the deposit needed for opening a commercial bank account
- Copies of the DNIs of all partners and their spouses

### **STEP 4. PUBLIC REGISTRATION**

After the public deed of legal formation has been granted, either the notary or the firm's owner must register the firm in the Public Registry. The public deed must be certified and then registered within 35 days. Within the first seven days, if the registrar finds flaws or incomplete information ("observaciones"), he will request that they be corrected. The legal limit of 35 days to register a firm does not hold if this latter procedure occurs<sup>25</sup>.

Once the flaws are corrected, the registrar has two choices: he may accept or not accept the corrected submission. In the latter case, which is not very common, the owner has two choices: (i) appeal to the Registry Court (which will delay the procedure 4 or 5 months, and implies additional costs); or (ii) withdraw the documents in order to correct them and then begin the whole procedure again, which is simpler than the appeals procedure.

### **STEP 5. RUC REGISTRATION**

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<sup>25</sup> What usually happens is that the inscription is not granted before 15 days, but the maximum legal term of 35 days will not be extended.

The procedure to obtain the RUC number varies with the type of firm. For a unipersonal firm, the firm's owner must present to SUNAT his DNI number and a public utilities bill (light, water, or telephone), and complete a form (Form N° 2119).

Incorporated firms and limited corporations must follow the procedure through their legal representative or an empowered third party. They must:

- Complete Forms N° 2119, 2054 and 2046 (this last only if the firm has branches)
- Present the DNI of the representative and a public utilities bill
- Present the document that proves the representatives' power from the firm,
- Present a copy of the public registry title
- Present a voucher proving that the registry procedure was paid.

After leaving the aforementioned documents, SUNAT has 15 days to carry out a domiciliary verification, after which the RUC number will be granted. After that, the form of authorization to print numbered invoices ("facturas" or "boletas de pago") has to be completed and presented (Form N° 806).

#### **STEP 6. MUNICIPAL OPERATING LICENSE**

To obtain an operating license, provisional or definitive, one must first obtain a zoning certificate. This certificate indicates that the area in which the firm will operate is zoned for commercial activities. The proceeding has to be followed in the district municipality from which it is desired to obtain the operation license.

For the operating license, each municipality requires different documents and paperwork along with the written request. The operating license is valid for one year and is renewed automatically as long as there is no change of use or zoning of the area.

#### **STEP 7. AUTHENTICATION OF THE BOOKS**

Once registered in SUNAT, the firm must acquire a payroll book to register the monthly payment of salaries. In addition, firms must keep accounting and corporate books, depending on the form of registration chosen. SUNAT personnel are in charge of telling the entrepreneurs how many and which accounting or corporate books their type of company must keep.

Both payroll and accounting books have to be certified. The payroll book has to be certified by the Labor Ministry through a written request form. Attached to that form, the entrepreneur has to present a copy of his RUC and the voucher of it (RUC). Accounting books have to be authenticated by a notary.

### **Types of Accounting Books**

- Income and expenses book
- Sales book
- Purchase registry book
- Cashier's book
- Inventory and balance book
- Daily book
- Main book

### **Types of Corporate Books**

- Board of directors
- Governing body acts book (libro de directorio)
- Stocks book

Unipersonal firms with an annual gross income up to 100 UIT (US \$89,000) must keep income and expenses book, inventory and balance book, purchase registry book, and sales book. If its annual gross income is more than 100 UIT, the firm must keep complete accounting books. If the firm is a corporation, it must keep complete accounting in all cases. Also, depending of the type of corporation constituted, firms have to keep some or all corporate books, certified by a notary.

## APPENDIX II. STEPS TO CLEAR AN EXPORT SHIPMENT THROUGH CUSTOMS

### STEP 1. NEGOTIATION

The negotiation stage covers all the actions needed to prepare a sale abroad. Initially, the exporter has to contact the prospective importer. Contact can be made by fax, electronically, personally, or through a broker or other intermediary.

Once contact has been made, the exporter sends the importer samples and a price list. The parties can then define the goods, terms and means of delivery, price and method of payment, insurance coverage if necessary, and so on. Parties are free to negotiate and agree to any condition they consider relevant to carry out the sale.

These agreements are usually formalized through a **contract of international transaction**, a document that states the rights and obligations of each contracting party (exporter and importer), in relation to the specified goods and the terms of the agreements. The main elements of this contract are the following:

- Information about the parties
- Delivery conditions - INCOTERMS
- Applicable laws
- Description of the goods involved: weight, packing, quality, amount, and so on
- Price per unit and total price
- Conditions and terms of payment
- Banks involved in the operation.
- Delivery term or availability.
- Insurance
- Method of transport and payment for the load
- Loading and unloading locations

The importer needs credit from his bank in the form of an irrevocable letter of credit. This letter of credit constitutes a commitment from the bank and will be cashed upon delivery of the shipping documents. The bank issuing a letter of credit usually asks that a bank in the country of the goods' origin notify the beneficiary about the credit. The exporter sends commercial shipping documents to the customs agency.

It is important to point out that neither the contract nor the bank intervention is mandatory. Therefore, it is perfectly legal (and very common) to arrange terms without contract, insurance, or banks involved. Small garment industry firms typically conduct export operations on the basis of verbal agreements and relations of mutual trust.

## STEP 2. HIRING A CUSTOMS CLEARANCE AGENT

The value of the goods being exported determines whether or not the exporter needs to hire a customs clearance agent.

- (i) Non-commercial value. If the FOB price of the goods is less than US \$2,000, the exporter is not obliged to hire a customs clearance agent.
- (ii) Commercial value. If the FOB price of the goods is US \$2,000 or more, the exporter must contract with a customs clearance agent and present the documents that correspond to a "normal export."<sup>26</sup>

- **Documents required to conduct normal exports<sup>27</sup>**

DOCUMENT	DESCRIPTIONS	ISSUER
<b>Commercial bill</b>	Certifies the price of the sale and the details of the goods being exported. The information contained in this private document must match the information contained in the shipment knowledge (conocimiento de embarque).	Exporter
<b>Certificate of origin</b>	Identifies and guarantees the origin of the goods, allowing the exporter to use tariff preferences with the importer country.	Chamber of Commerce
<b>Shipment order</b>	Official form required by customs for exports having commercial value.	ADUANAS
<b>Packing list</b>	Contains the details of all goods being shipped or all the components of one good. No commercial value has to be mentioned here.	Exporter
<b>Shipment knowledge (Conocimiento de Embarque)</b>	Proves ownership of the goods and simultaneously constitutes the transportation contract. It also documents the shipment of the goods. Without this document, the goods cannot be delivered in the destination country. It takes on specific names depending on the form of transportation: "bill of lading" if by sea, or "airway bill" if by air.	Transportation company
<b>Customs declaration (Declaración Única de Aduanas – DUA)</b>	Official document to regularize the legal delivery of the goods abroad.	Customs clearance agent
<b>Transportation insurance policy</b>	Insures the goods against specific transportation risks defined in the policy, for a total amount that cannot be lower than the amount actually billed.	Insurance company

<sup>26</sup> The term "*normal export*" is used in contrast to "*restricted export*," which refers to special goods such as certain kinds of food, animals, armaments, and some chemical products.

<sup>27</sup> The documents described are obtained during different steps of the export process.

The most important document is the certificate of origin. It identifies the country of origin of the goods being exported goods, allowing the exporter to have recourse to a preference or tariff reduction within the European Union, the United States, the Andean Community, ALADI and other countries. There are different kinds of certificates of origin, depending on the destination country.

- **A Format – General System of Preferences:** Needed for exports that have the "Generalized System of Preferences (SGP)", which are those directed to the United States, the European Union, Japan, Korea, Canada, Australia, New Zealand, Norway, Switzerland, Bulgaria, Czech Republic, Hungary, Poland, Russia and Slovakia.
- **ALADI Format:** Needed for exports to the countries that comprise the Latin American Association of Integration (ALADI) and the Andean Community (CAN)
- **ALADI-Chile Format:** Needed for exports to Chile.
- **Global System of Commercial Preferences (SGPC):** Needed for exports to countries with which Peru does not have tariff preference or bilateral commercial agreements.

To obtain a certificate of origin, the entrepreneur or the customs clearance agent follows this procedure:

1. Buy and complete the appropriate form according to the corresponding preference or commercial agreement.
2. Present the following documents to the Office of Certificate of Origin, in the corresponding Chamber of Commerce:
  - a) A copy of the commercial bill
  - b) the certificate of origin properly filled out
  - c) Declaración Jurada de Origen (another form provided by the Office of Certificate of Origin)
  - d) A copy of the exporter's RUC.
3. Pay the fee of S/. 36,58 for the official seal. (Usually the fee for the official seal for the certificate of origin is included in the rate charged by customs clearance agents.)

- **Additional Documents needed**

Additional documents will depend on the kind of exported product. The most common are those that certify quality, analysis, sanitary standards, weight, etc. They can be issued by public or private entities, depending on the need (laboratories, for instance).

### **STEP 3. STORAGE**

The customs clearance agent delivers to ADUANAS the information contained in the shipment order, to be sent electronically to the dispatch customs and to obtain a shipment order number. Through a computer-based and centralized system (SIGAD), the electronic data is validated and the shipment order is numbered. With this number, the official dispatcher of ADUANAS prints the shipment order to present it in the primary zone, together with or after the admission of the goods.

In this point, the physical recognition procedure is carried out. This procedure consists of the verification of the information contained in the export documents and the goods admitted into the primary zone.

If his shipment order is not selected, the exporter continues immediately to the shipping stage. If his shipment order is selected, two things can happen:

(i) Physical recognition with incidence, when a difference is found between the consigned goods and the goods actually checked. If the checked goods are forbidden or restricted and were not declared as such, or if there is any evidence of crime, the dispatch of the goods is suspended and a report is made in order to determine legal treatment. If there is no cause for suspension but some differences do exist, ADUANAS will ask the exporter to correct them and will proceed to the next stage.

(ii) Physical recognition without incidence, when no difference is found between the consigned goods and the goods checked.

In any case, the goods subject to export must be shipped within a maximum of 10 days from the date of numbering of the shipment order.

### **STEP 4. SHIPPING**

ADUANAS verifies the correct arrangement of the security seals on the containers or boxes. Then, the shipping company or airline verifies the shipping of the goods and writes down the number of packages, the gross weight, and the time of the last shipment in the bill of lading or airway bill.

It is possible to dispatch the goods from a different customs than the one where the shipment order was numbered.

### **STEP 5. CUSTOMS DECLARATION (DUA)**

The regularization of the export operation through the DUA concludes with its numbering. That is transmitted electronically to ADUANAS, which prints out the DUA for presentation in the export area. Independently of the regularization of the DUA, the dispatcher of

customs presents in the export area the numbered DUA and the shipment evidence, enclosing the following documents:

- A certified copy of the original shipment order
- A certified copy of the shipment knowledge
- A second copy of the commercial bill
- Paid voucher of customs services.

The DUA is composed of three parts:

- DUA A, which contains information about the importer, warehouse of destination, value of the goods, transportation and insurance, and the details of the packages exported (weight, number of packages, country of origin and destination, and so on)
- DUA B, which contains information about the exporter
- DUA C, in which customs values and duties are registered.

ADUANAS receives the documents and issues the Guia de Entrega de Documentos (GED) for each statement received. The verification of information begins immediately. If there is any difference between the information received and the documents, the DUA will be rejected and the information will be transmitted to SIGAD. Within the 15-day term, the customs agent has to correct any deficiencies detected; otherwise a fine may be imposed.

If the information matches, the DUA is ratified with the number assigned by SIGAD, which means the acceptance and regularization of the export. Within the garment sector, INDECOPI also carries out additional inspection procedures to prevent contraband and fake trademarks.

## **STEP 6. CLEARING CUSTOMS IN THE COUNTRY OF DESTINATION**

Customs clearance in the country of destination may be in charge the exporter or the importer, according to what the parties agreed to in the negotiation stage. If the exporter is in charge, he will need to hire a customs clearance agent in the country of destination and assume the costs of that. If the importer is in charge, he will need to make the necessary arrangements in order to obtain the goods, absolving the exporter of any liability.

## **STEP 7. REFUND OF VALUE-ADDED TAX**

Refund of the value-added tax (IGV) is an international principle based on the fact that exporters would be paying double taxes if IGV were charged on export operations as well. The amount consigned by IGV in the corresponding vouchers of purchase of goods and/or services related to the export, entitles the exporter to apply for a refund.

The goods and services taken into consideration for tax refund purposes are the following:

- Inputs, raw materials, intermediate goods, and affected services used in the production of goods or services to be exported
- Fixed assets, such as real estate, machinery and equipment, as well as their parts, pieces, spare parts, and accessories
- Goods acquired to be exported
- Goods and services whose use or consumption is necessary to carry out export operations, and whose cost is allowed to be deducted as an expense or cost of the firm.

The refund will be deducted from the gross tax (impuesto bruto) levied on the exporter. If that is not possible, the exporter can be compensated instead by a reduction in his income tax debt. If the exporter does not have income tax debt, he can be compensated through any other tax debt that constitutes public treasury income. If none of these are possible, the refund will be made by negotiable credit note (notas de crédito negociables) or by check.

# APPENDIX III. INTERVIEW FOR SMALL ENTREPRENEURS

## 1. Características Generales de la Firma

Cargo del entrevistado

Número de plantas:

¿Hace cuánto tiempo funciona la empresa?

Número total de trabajadores (incluido usted)

Permanentes

Eventuales

Nivel de ventas (promedio mensual)

Nivel de ventas (promedio anual)

Exportaciones (promedio mensual)

¿Usa insumos importados?

Sí

No

Importaciones directas (promedio mensual)

Compra de insumos a algún distribuidor (promedio mensual)

Otro sistema (promedio mensual)

Tipo de sociedad

¿Qué tipo societario tiene la empresa?

a) Sociedad Anónima Abierta

b) Sociedad Anónima Cerrada

c) Sociedad Colectiva

d) Sociedad en Comandita Simple

e) Sociedad en Comandita por Acciones

f) Sociedad Comercial de Responsabilidad Limitada

g) Empresa Unipersonal

¿Su empresa está registrada en los Registros Públicos?

a) Sí

b) No

Número de dueños de la empresa:

Dueño 1

Dueño 2

Dueño 3

Sexo

Trabaja en la empresa

a) Sí

b) No

Ocupación (cargo en la empresa)

## 2. Costos de Formalización

## **2.1 Registro de Empresa**

¿Cuánto tiempo le tomó registrar su empresa?

¿Quién realizó la tarea (trabajador o tercero)?

Si fue un trabajador, ¿Cuántas horas (o días) le tomó realizar esa tarea?

¿Cuál es el sueldo mensual de ese trabajador?

Si fue un tercero, ¿Cuánto se le pagó por realizar la tarea?

¿Cuánto pagó por conceptos de derechos y tasas en el trámite?

¿Qué documentación le fue requerida para realizar el trámite?

¿Cómo supo que tenía que realizar ese trámite y los requerimientos para llevarlo a cabo?

Relate su experiencia al realizar el trámite (qué problemas o trabas encontró, qué irregularidades identificó, etc.)

¿Alguna vez usted o su empresa ha recibido una sanción por incumplimiento de requisitos?

¿Cuánto tuvo que pagar?

¿Tuvo que realizar pagos extras a los del trámite?

¿Cuán importantes fueron estos pagos?

¿Ha tenido que realizar algún trámite de actualización relacionado al Registro de su empresa?

Explique

Si a usted alguien le pidiera realizar el trámite para registrar su empresa, ¿Cuánto le cobraría?

## **2.2 Informalidad**

¿Alguna vez su empresa operó de manera informal?

¿Qué lo motivó a formalizarse?

¿Cree que la formalidad ha traído beneficios a su empresa?

¿Qué tipo de beneficios?

## **2.3 RUC**

¿Cuánto tiempo le tomó obtener su número de RUC?

¿Quién realizó la tarea (trabajador o tercero)?

Si fue un trabajador, ¿Cuántas horas (o días) le tomó realizar esa tarea?

¿Cuál es el sueldo mensual de ese trabajador?

Si fue un tercero, ¿Cuánto se le pagó por realizar la tarea?

¿Cuánto pagó por conceptos de derechos y tasas en el trámite?

¿Qué documentación le fue requerida para realizar el trámite?

¿Cómo supo que tenía que realizar ese trámite y los requerimientos para llevarlo a cabo?

Relate su experiencia al realizar el trámite (qué problemas o trabas encontró, qué irregularidades identificó, etc.)

¿Alguna vez usted o su empresa ha recibido una sanción por incumplimiento de requisitos?

¿Cuánto tuvo que pagar?

¿Tuvo que realizar pagos extras a los del trámite?

¿Cuán importantes fueron estos pagos?

¿Ha tenido que realizar algún trámite de actualización relacionado al RUC?

Explique

Si a usted alguien le pidiera realizar el trámite para obtener el RUC, ¿Cuánto le cobraría?

## **2.3 Licencia / Autorización Municipal**

¿Cuánto tiempo le tomó obtener su licencia de funcionamiento?

¿Quién realizó la tarea? (trabajador o tercero)

Si fue un trabajador, ¿Cuántas horas (o días) le tomó realizar esa tarea?

¿Cuál es el sueldo mensual de ese trabajador?

Si fue un tercero, ¿Cuánto se le pagó por realizar la tarea?

¿Cuánto pagó por conceptos de derechos y tasas en el trámite?

¿Qué documentación le fue requerida para realizar el trámite?

¿Cómo supo que tenía que realizar ese trámite y los requerimientos para llevarlo a cabo?

Relate su experiencia al realizar el trámite (qué problemas o trabas encontró, qué irregularidades identificó, etc.)  
¿Alguna vez usted o su empresa ha recibido una sanción por incumplimiento de requisitos?  
¿Cuánto tuvo que pagar?  
¿Tuvo que realizar pagos extras a los del trámite?  
¿Cuán importantes fueron estos pagos?  
¿Ha tenido que realizar algún trámite de actualización relacionado al Licencia de Funcionamiento?  
Explique  
Si a usted alguien le pidiera realizar el trámite para obtener La Licencia de Funcionamiento, ¿Cuánto le cobraría?

### **3. Exportaciones**

¿Exporta?  
¿A qué países exporta?  
De todas las exportaciones que ha realizado en los últimos tres años, ¿Cuál fue la que le tomó más tiempo llevar a cabo?  
¿Cuánto tiempo duró?

#### **PAIS 1 (Última Exportación)**

¿Cuál fue el monto exportado?  
¿Cuánto tiempo le tomó exportar la mercadería a ese país? (Desde que contacta a la agencia de aduanas hasta que la mercadería sale del puerto)  
¿Cuánto le pagó a la agencia de aduanas para realizar esa exportación?  
¿Utilizó una carta fianza o algún documento o garantía bancaria para realizar la operación?  
¿Indique qué instrumento utilizó?  
¿Cuánto le costó obtener el documento?  
¿Cuánto tiempo demoró en tenerlo en su poder?  
¿Su empresa realizó algún trámite en el proceso de exportación aparte de los que realiza la agencia de aduanas?  
¿Quién realizó la tarea (trabajador o tercero)?  
Si fue un trabajador, ¿Cuántas horas (o días) le tomó realizar esa tarea?  
¿Cuál es el sueldo mensual de ese trabajador?  
Si fue un tercero, ¿Cuánto se le pagó por realizar la tarea?  
¿Cuánto pagó por conceptos de derechos y tasas en el trámite?  
¿Qué documentación le fue requerida para realizar el trámite?  
¿Cuánto pagó por conceptos de derechos y tasas en el trámite?  
¿Qué documentación le fue requerida para realizar el trámite?  
¿Alguna vez usted o su empresa ha recibido una sanción por incumplimiento de requisitos?  
¿Cuánto tuvo que pagar?  
¿Tuvo que realizar pagos extras a los del trámite?  
¿Cuán importantes fueron estos pagos?  
¿Conoce de algún cambio en cuanto a requisitos y exigencias que se haya producido dentro de los últimos 3 años?  
Explique  
¿Cómo se enteró de los pasos y requisitos para exportar su mercadería?  
Relate su experiencia al realizar la exportación (qué problemas o trabas encontró, qué irregularidades identificó, etc.)

### **4. Importaciones**

Si compra los insumos a un distribuidor y no importa

¿Preferiría usted mismo realizar una importación de insumos antes de comprar a un distribuidor?  
Si es afirmativa la respuesta, ¿Porqué razón no lo hace?

¿Conoce cuánto es la diferencia entre lo que cobra el distribuidor y lo que le costaría a usted si realizara la importación?  
Si es negativa la respuesta, ¿Porqué razón prefiere comprar al distribuidor y no importar los insumos usted mismo?

#### Si realiza importación de insumos (última importación)

País de procedencia

¿Cuál fue el monto importado?

¿Utilizó una carta fianza o algún documento o garantía bancaria para realizar la operación?

Indique qué instrumento utilizó

¿Cuánto le costó obtener el documento?

¿Cuánto tiempo demoró en tenerla en su poder?

¿Su empresa realizó algún trámite en el proceso de exportación aparte de los que realiza la agencia de aduanas?

¿Quién realizó la tarea? (trabajador o tercero)

Si fue un trabajador, ¿Cuántas horas (o días) le tomó realizar esa tarea?

¿Cuál es el sueldo mensual de ese trabajador?

Si fue un tercero, ¿Cuánto se le pagó por realizar la tarea?

¿Cuánto pagó por conceptos de derechos y tasas en el trámite?

¿Qué documentación le fue requerida para realizar el trámite?

¿Cuánto pagó por conceptos de derechos y tasas en el trámite?

¿Qué documentación le fue requerida para realizar el trámite?

¿Alguna vez usted o su empresa ha recibido una sanción por incumplimiento de requisitos?

¿Cuánto tuvo que pagar?

¿Tuvo que realizar pagos extras a los del trámite?

¿Cuán importantes fueron estos pagos?

¿Conoce de algún cambio en cuanto a requisitos y exigencias que se haya producido dentro de los últimos 3 años?

Explique

¿Cómo se enteró de los pasos y requisitos para importar su mercadería?

Relate su experiencia al realizar la importación (qué problemas o trabas encontró, qué irregularidades identificó, etc.)

### **5. Otras Características Generales de la Empresa**

Tipo de productos que fabrica

#### **5.1 Competidores**

Número de competidores

Cuántos de ellos son informales

Tamaño del competidor más grande (aprox. número de trabajadores o nivel de ventas)

¿Cuán grande es la competencia con productos importados?

#### **5.2 Inversión y Costos**

¿Nos podría dar una idea de la inversión en capital (máquinas, equipo) con que cuenta la empresa?

Si no tiene idea de la inversión en capital, ¿En cuánto vendería su empresa?

Gasto mensual en insumos (aprox.)

Gasto mensual en personal (aprox.)

#### **5.3 Información financiera**

En el último año, ¿Cuáles han sido sus fuentes de financiamiento?

- a) Bancos
- a.1 Préstamo
- a.2 Tarjetas de crédito
- b) Cajas Municipales
- c) EDPYMES
- d) Crédito de Proveedores
- e) Crédito de Clientes
- f) Prestamista informal
- g) Otros (especifique)

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- ¿Tiene una línea de crédito?
- ¿De cuánto es esta línea de crédito?
- ¿Tiene una cuenta corriente?