



## Argentina: Process Obstacles to Exporting Updated: March, 2015

Argentina remains a key market for U.S. exports to Latin America. However, the Argentine Government has implemented controls that have made more difficult exporting goods from any country to Argentina. This report summarizes several Argentine government regulations that U.S. companies should be aware of as they access the Argentine market.

It is important for would-be exporters to confirm prior to shipping goods to Argentina that their Argentine customer has:

- Received the necessary permission to import.
- Received an approval to access the foreign exchange market through applications on the Argentine Tax and Customs Authority website *if required*.

There is no formal response time on these processes. Approvals are completely discretionary and no written rules, definitions, or guidelines exist as to how approvals are granted and in what time frame. All potential exporters to Argentina are urged to contact the U.S. Commercial Service in Buenos Aires before shipping any goods as conditions and restrictions can change suddenly. Please see the contact information at the end of this report.

### Application for Permission to Import and Buy Dollars

Since February 1, 2012, Argentina has required all importers to request and receive approval from the Secretariat of Commerce and the Argentine Tax and Customs Authority (AFIP) prior to importing products from abroad. This sworn affidavit of intention to import (referred to as the DJAI) is required for each import transaction and is reviewed by AFIP. In practice, AFIP does not make the decision, which is in fact made by the Secretariat of Internal Commerce, but AFIP does certify that the importer is in good standing with regard to taxes and ability to pay for the goods and approves the request to purchase the currency. However, ultimately the Central Bank (BCRA) must release the funds and has final say over when the goods will be paid for.

Processing time is officially 15 days, but many requests are put on hold for indefinite periods of review. An Argentine firm or individual who wishes to import must utilize the services of an Argentine customs broker to file the DJAI through the online customs system known as (S.I.M. - *Sistema Informático MALVINA*), if they do not possess a customs brokerage license to handle their own imports. The requested merchandise must arrive in Argentina within 180 days of the DJAI being marked "*Salida*" by AFIP to signify approval to import. Follow this link for additional information on the DJAI process:

[http://www.buyusainfo.net/docs/x\\_9655141.pdf](http://www.buyusainfo.net/docs/x_9655141.pdf).

## Services:

In addition to the DJAI, the AFIP put the Advance Affidavit of Services (DJAS) into effect on April 1, 2012. This requirement applies to services like royalties for the license of trademarks, patents, technical assistance, software, foreign films, videos and music rights, among other similar services. The DJAS is only necessary for services imported with undetermined value and/or higher than \$100,000 USD or exceeding \$10,000 USD per month. The information required is the type of service imported, the amount charged, the bank accounts where the funds will be transferred, and the tax applied. Each DJAS will be given an identification number assigned by the AFIP website which will be necessary to gain access to the foreign exchange market to make the payment.

## Buying Dollars:

The Argentine Government has two requirements in order to receive remittances of capital and payments to service providers overseas by foreign companies as well as access to foreign exchange to pay for imports.

- Following the implementation on February 1, 2012, of the requirement to file a DJAI prior to importing goods, it became necessary for importing firms to present an approved DJAI to AFIP prior to gaining permission to purchase foreign exchange to pay for an import.
- In October of 2011, AFIP implemented a regulation requiring that importers make a request to purchase U.S. dollars/foreign exchange with Argentine Pesos.

In the past, the two processes were in fact done simultaneously such that the DJAI approval triggered emission of the approval to buy dollars. Sources say that now the approvals to buy dollars are not automatic but subject to foreign exchange availability. The AFIP evaluates each request based on the individual's or company's revenue stream, the amount of foreign exchange requested, and stated purpose to which the foreign exchange will be put. This evaluation process has become more stringent recently with more companies reporting that they are unable to receive the necessary permission from AFIP. Again, it is up to the BCRA to release the funds. However, CS Argentina is not aware of any case in which a company had a DJAI approved and subsequently had a request for foreign currency denied. No currency has been denied following a legal export to Argentina, though there are now delays. The length of any delay is unpredictable. In certain industries such as the auto and electronics sector, the delays are knowable and can reach 90 days and more under agreements negotiated between the importers and the government.

For more information on currency controls see the Investment Climate Statement of the annual Country Commercial Guide for Argentina:

<http://export.gov/argentina/doingbusinessinargentina/argentinacountrycommercialguide/investmentclimate/index.asp>.

## For Payments Abroad:

The Affidavit Regime for Payments Remitted Abroad (DAPE) was made effective on February 1, 2013. The DAPE applies to debts for the purchase of goods not imported into the country and sold to third countries;

interests, dividends and profits; and imports through courier or certain simplified mechanism. The information needed is date, amount involved, kind of agreement, type of goods, parties involved, as well as PDF files of invoices, agreements and more.

## Miscellaneous and Evolving Customs Requirements

At the time of import, certain products (books, electronics, and toys, for example) will require additional inspections or testing. These requirements change frequently so the exporter is advised to factor possible delays into the shipping time and sales price. For an update on current measures in place, contact the U.S. Commercial Service at the contact info below. In addition, on March 30, 2012 AFIP Resolution 3304 which introduces new requirements for the verification, valorization, and inspection of imported goods, came into effect. As many of the procedures that will be used to implement this expansive new regime of import inspection are not yet clear, the U.S. Commercial Service in Buenos Aires will post a separate document on its website under Exporting to Argentina at

<http://export.gov/argentina/doingbusinessinargentina/exportingtoargentina/index.asp> documenting the implementation of Resolution 3304 as soon as implementing details for the resolution are sufficiently clear.

For more Information, please contact email [Office.BuenosAires@trade.gov](mailto:Office.BuenosAires@trade.gov) or each Industry Sector Specialist at <http://export.gov/argentina/contactus/index.asp>, telephone +54-11-5777-4346 or 4367 and Dakshina Voetsch, Country Manager, Global Markets Western Hemisphere (Market Access and Compliance Issues) in Washington, DC: email: [Dakshina.Voetsch@trade.gov](mailto:Dakshina.Voetsch@trade.gov), telephone: +1-202-482-4701.

## Report a Concern

To report a Trade Barrier with the U.S. Trade representative follow the link below and complete the online form. [http://tcc.export.gov/Report\\_a\\_Barrier/index.asp](http://tcc.export.gov/Report_a_Barrier/index.asp).

## The U.S. Commercial Service – Your Global Business Partner

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**Comments and Suggestions:** We welcome your comments and suggestions regarding this market research. You can e-mail us your comments/suggestions to: [Customer.care@trade.gov](mailto:Customer.care@trade.gov). Please include the name of the applicable market research in your e-mail. We greatly appreciate your feedback.

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