

DECREE NO. 4.445

Official Gazette of the Bolivarian Republic of Venezuela No. 42.092
Caracas, Monday 22 March 2021

PRESIDENCY OF THE REPUBLIC

Decree No. 4,445, by means of which is declared as strategic for development of the national economy, the waste and metallic residue, ferrous, aluminum, copper, iron, bronze, steel, nickel or other metal scrap, junk heap (bangers) that are naval, aerospace, electrical and electronical parts, in any condition, as well as non-metallic solid waste, optical fiber and secondary fiber, product of the recycling of paper and cardboard, in any condition, which for the purposes of this Decree, they will be called as a whole "strategic material susceptible to recycling".- (Reprint due to failure in the originals).



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24 February 2021

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ORDERS

Article 1. It is declared as strategic for development of the national economy, the waste and metallic residue, ferrous, aluminum, copper, iron, bronze, steel, nickel or other metal scrap, junk heap (bangers) that are naval, aerospace, electrical and electronical parts, in any condition, as well as non-metallic solid waste, optical fiber and secondary fiber, product of the recycling of paper and cardboard, in any condition, which for the purposes of this Decree, they will be called as a whole "*strategic material susceptible to recycling*".

Article 2. It is reserved to the Executive Branch, through the **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)**, the right to purchase the strategic material susceptible to recycling from the national public sector.

Article 3. The **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)** will be the entity responsible for the control, collection, storage, mobilization, transformation, national commercialization and export of strategic material susceptible to recycling that come from the national public sector.

Article 4. The bodies and entities of the national public sector have to make available to the State Enterprise **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)** all strategic material susceptible to recycling, owned or under its administration, within a period of sixty (60) working days, counted from the publication of this Decree in the Official Gazette of the Bolivarian Republic of Venezuela .

The National Superintendence of Public Assets and the people in charge of equity in each body and entity of the National Public Administration, State companies and other associative forms will carry out the appropriate steps for the removal of the corresponding assets, within the period of time established in this article.

Once this period has come due, the public sector bodies and entities have to send to **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)** on a monthly basis, the list of strategic material susceptible to recycling dropped from or at their disposal.

The inventory or list referred to in this article has to contain the corresponding category of strategic material, quantity, availability, location and general condition.

Article 5. The bodies and entities of the National Public Administration that remove strategic material susceptible to recycling must make it available to the State Company **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)** at its request, within the period of time established by said state-owned company for it. Such Corporation will also exercise a preferential right to purchase the strategic material susceptible to recycling from the other bodies and entities of the national public sector.

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Article 6. The strategic material susceptible to recycling under the administration or custody of any body or entity of the national public sector subject to administrative or judicial procedures, which has been declared derelict, will be delivered to the state-owned company **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)**.

Article 7. The **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)** will have a percentage of the strategic material susceptible to recycling under its control or disposal, for the purpose of its priority use in the development of the country's strategic industries. The People's Power Ministry for Industries and National Production will determine the percentage of strategic material required for the development of the national industry.

Article 8. The export of strategic material susceptible to recycling is forbidden. Only exceptionally and with prior authorization from the male or female Executive Vice President may such strategic material be exported.

The Integrated National Service of Customs and Tax Administration, SENIAT, is ordered to take the normative and operational provisions necessary for the full execution of the ban established in this article.

Article 9. The People's Power Ministries with powers in matters of citizen security and defense will adopt the pertinent measures to detect, prevent, control and combat the practices of collection, transport, commercialization, extraction, theft or use of strategic material susceptible to recycling that infringe what it is provided by this Decree.

Article 10. The highest authorities of the public sector bodies and entities will be responsible for compliance with what it is provided by this Decree.

The **CORPORACIÓN ECOSOCIALISTA EZEQUIEL ZAMORA, S.A. (CORPOEZ)** must send to the Vice Presidency of the Republic a report that gives an account of the strategic material susceptible to recycling that is transferred to it in compliance with the provisions of this Decree, within ninety (90) days following its entry into force, as well as a quarterly report that expresses the amount of material received from the public sector, its origin, classification and prices. Said quarterly report will be delivered within the first 15 days of the months of January, April, July and October of each year.

Article 11. The collection, mobilization, storage, transformation, commercialization and export of ferrous and non-ferrous naval, aeronautical, electrical and electronic scrap generated by units and agencies of the defense sector are excluded from the application of this Decree, except in relation to the authorization for export provided by article 8 of this Decree.

Article 12. The Executive Vice President and the People's Power Ministry for Industries and National Production are in charge of the execution of this Decree.

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Article 13. This Decree will come into force from the date of its publication in the Official Gazette of the Bolivarian Republic of Venezuela.

Article 14. Legal set of rules 4 for the export of strategic material susceptible to recycling is repealed. It was established in Decree No. 2,647 dated December 30, 2016, published in the Official Gazette of the Bolivarian Republic of Venezuela No. 6,281 Special Issue, on December 30, 2016, by means of which the customs duties were established.

Decree No. 3.247 is repealed, by means of which the state-owned company Corporación Ecosocialista Ezequiel Zamora, S.A. (CORPOEZ) is authorized, assigned to the People's Power Ministry for Ecosocialism and Water, for the national commercialization and export of ferrous and non-ferrous scrap, naval, aeronautical, electrical and electronic junk, in any condition, published in Official Gazette Number 41,323 on 18 January 2018, as well as any other provision of equal or lower rank that disobeys what is ordered in this Decree.

Given in Caracas, on the twenty-four (24) day of the month of February, two thousand twenty-one.

Breach to comply with tax liabilities within the terms provided by the Calendar of Special Taxpayers and other tax provisions will be penalized in accordance with the Organic Tax Code. Ask our experts about the periodic review service of compliance with formal tax duties, and avoid the risks of tax contingencies due to financial penalties and measures to close establishments, in the event of a possible inspection procedure by the Tax Administration.



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