



Law 962 of 2005

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LAW 962 OF 2005

(July 8)

"Whereby provisions are enacted on the rationalization of administrative procedures and processes of State agencies and entities and of individuals who perform public functions or provide public services."

THE CONGRESS OF COLOMBIA DECREES:

TITLE I GENERAL

PROVISIONS

CHAPTER I

PROVISIONS COMMON TO THE ENTIRE PUBLIC ADMINISTRATION

ARTICLE 1. Purpose and guiding principles. The purpose of this law is to facilitate relations between individuals and the Public Administration, so that the actions that must be taken before it for the exercise of activities, rights, or fulfillment of obligations are carried out in accordance with the principles established in Articles 83, 84, 209, and 333 of the Constitution. Accordingly, the following principles shall be mandatory as guiding principles for the policy of rationalization, standardization, and automation of procedures, in order to avoid unjustified demands on citizens:

1. Legal reserve of permits, licenses, or requirements. For the exercise of activities, rights, or fulfillment of obligations, only those authorizations, requirements, or permits that are expressly provided for in the law or expressly authorized by it may be required. In such cases, public authorities may not require certifications, opinions, or evidence.

Public authorities may not establish procedures, requirements, or permits for the exercise of activities, rights, or fulfillment of obligations, unless they are expressly authorized by law; nor may they request the presentation of documents that fall within the competence of other authorities.

2. Procedure for establishing procedures authorized by law. Public entities and individuals who perform an administrative function expressly authorized by law to establish a procedure must first submit it for consideration by the Administrative Department of the Civil Service, attaching a regulatory impact statement that demonstrates its justification, effectiveness, efficiency, and implementation costs for those required to comply with it. They must also demonstrate the existence of the budgetary and administrative resources necessary for its application. If it is found to be reasonable and consistent with the policy of simplification, rationalization, and standardization of procedures, the Administrative Department of the Civil Service will authorize its adoption and implementation.

To fulfill this function, the Administrative Department of Public Service will have the support of the sectoral and intersectoral committees created for this purpose. It may also establish mechanisms for citizen participation so that interested parties can express their observations.

At the beginning of each regular session, the Director of the Administrative Department of the Civil Service shall report to the First Committees of each Chamber on the issuance of any new procedures that have been adopted.

(Second paragraph amended by Decree 19 of 2012, Art. 39)

3. Information and publicity. Without prejudice to the general requirements for publicity of administrative acts, any requirement, in order to be enforceable on the part of the citizen, must be registered in the Single System of Information on Procedures (SUIT), whose operation will be coordinated by the Administrative Department of the Civil Service; this entity will verify, for the purposes of registration, that it has the respective legal support.

All entities and agencies of the Public Administration are required to provide information on the requirements they impose, without requiring the physical presence of the citizen to do so. They must also provide information on the legal basis for the requirement, as well as the date of its official publication and its registration in the Single System of Information on Procedures (SUIT).

4. Technological strengthening. In order to coordinate the actions of the Public Administration and reduce the time and cost of procedures for citizens, the use of integrated technological means will be encouraged. To this end, the Administrative Department of the Civil Service, in coordination with the Ministry of Communications, will provide the technical support required by Public Administration entities and agencies.

PARAGRAPH 1. The procedure provided for in this article shall not apply in cases involving the adoption of measures authorized by decrees issued during states of emergency, due to the declaration of a state of catastrophe or natural emergency, or when the immediate adoption of health measures is required to preserve human or agricultural health.

PARAGRAPH 2. Departmental Assemblies and District or Municipal Councils may only adopt, by ordinance or agreement, the measures required for the implementation or application of the procedures created or authorized by law.

(See Decree 1083 of 2015, arts. 2.2.24.1, 2.2.24.2, 2.2.24.6)

ARTICLE 2. Scope of application. This law shall apply to the administrative procedures and processes of the Public Administration, of public utility companies of any kind and nature, and of individuals performing administrative functions. Disciplinary and fiscal proceedings conducted by the Attorney General's Office and the Comptroller's Office, respectively, are exempt.

For the purposes of this law, "Public Administration" is understood to have the definition contained in Article 39 of Law 489 of 1998.

(See Concept of the SCSC of the Council of State filed No. 1899 of 2008)

ARTICLE 3. Individuals, in their relations with the public administration, have the following rights, which they shall exercise directly and without a representative:

To obtain information and guidance on the legal or technical requirements imposed by current regulations on the petitions, actions, requests, or complaints they intend to file, as well as to carry them out.

To know, at any time, the status of the proceedings in which they are interested parties and to obtain copies, at their own expense, of the documents contained therein.

To refrain from submitting documents not required by the legal rules applicable to the procedures involved in the process. To access the

records and files of the Public Administration under the terms provided for in the Constitution and the laws.

To be treated with respect by public authorities and civil servants, who must facilitate the exercise of their rights and the fulfillment of their obligations.

To demand compliance with the responsibilities of the Public Administration and its personnel, when legally applicable. To any other right recognized by the Constitution and the laws.

(See Constitutional Court ruling C-516 of 2016, which declares the legal proposition "at their expense" regulated in paragraph 3 of Article 3 of Law 962 of 2005 to be ENFORCEABLE).

ARTICLE 4. Disclosure and free availability of official forms for filing returns and making payments. Where applicable, the recipients to whom this Decree-Law applies shall enable the necessary mechanisms to make the officially defined format for the respective period in which the legal duty or obligation must be fulfilled available to interested parties free of charge and in a timely manner, using printed, magnetic, or electronic forms for this purpose.

Public entities and individuals performing administrative functions must make all forms required by law available to individuals in electronic format. In any case, for a form to be enforceable on citizens, the respective entity must publish it on the Colombian Government Portal. The authorities will have a period of three months from the publication of this decree to publish the forms that currently exist.

For all legal purposes, copies of forms obtained from electronic media shall be considered official forms.

(Amended by Decree 19 of 2012, Art. 26)

ARTICLE 5. Notification. Any natural or legal person who requires notification of an administrative act may delegate the act of notification to any person by means of a power of attorney, which shall not require personal presentation. The delegate shall only be authorized to receive the notification, and any statement made in relation to the administrative act shall be deemed, as of right, not to have been made. All other actions shall be carried out in accordance with the regulations governing the right of representation in the corresponding administrative procedure. The notification of the recognition of a right charged to public resources, of a public nature or relating to social security, is exempt from the provisions of this article.

ARTICLE 6. Technological means. In order to carry out the procedures and processes within their jurisdiction, public administration bodies and entities must inform citizens of these in the manner provided for in the provisions in force, or additionally use any technological means or electronic documents at their disposal, in order to give effect to the principles of equality, economy, speed, impartiality, publicity, morality, and efficiency in the administrative function. To this end, they may implement the security conditions and requirements that are appropriate in each case, without prejudice to the powers of certain specialized entities in this area.

The substantiation of the proceedings and the issuance of administrative acts shall take place in the manner provided for in the provisions in force. For the processing, notification, and publication of such proceedings and acts, electronic media, means, and applications may also be used.

Any person may submit petitions, complaints, claims, or appeals through any technological or electronic means available to public administration entities and agencies.

In cases of petitions related to the recognition of a financial benefit, the physical documents supporting the right being claimed must be provided in all cases.

The use of electronic means shall be governed by the provisions of Law 527 of 1999 and the regulations that complement, add to or modify it, in accordance with the provisions of Chapter 8 of Title XIII, Section Three, Book Two, Articles 251 to 293, of the Code of Civil Procedure, and other applicable regulations, provided that it is possible to verify the identity of the sender and the date of receipt of the document.

PARAGRAPH 1. Public administration entities and agencies shall make public the technological or electronic means at their disposal, to allow their use.

PARAGRAPH 2. In any case, the use of technological and electronic means to carry out procedures and functions of the Public Administration must guarantee the principles of authenticity, availability, and integrity.

PARAGRAPH 3. When administrative proceedings and acts are carried out electronically, the handwritten signatures required for them may be replaced by a digital certificate that ensures the identity of the signatory, in accordance with the provisions established by the National Government for this purpose.

ARTICLE 7. Electronic publication of general regulations and acts issued by the public administration. The Public Administration shall make available to the public, through electronic means, laws, decrees, and administrative acts of a general nature or documents of public interest relating to each of them, within five (5) days of their publication, without prejudice to the legal obligation to publish them in the Official Gazette.

Reproductions made shall be deemed authentic for all legal purposes, provided that the content of the act or document is not altered.

As of the effective date of this law and for the purposes of carrying out any administrative procedure, it shall not be mandatory to prove the existence of general national regulations before any Public Administration body.

ARTICLE 8. Provision of information. From the date this law comes into force, all public administration bodies and entities must make the following information available to the public, through the printed or electronic media at their disposal, or by telephone or mail, duly updated:

Basic rules determining their jurisdiction; Functions of

their various bodies;

Services they provide.

Regulations, procedures, and formalities to which the actions of individuals before the respective agency or entity are subject, specifying in detail the documents that must be provided, as well as the responsible departments and the terms under which they must comply with the stages provided for in each case.

Location of departments, working hours, and other information necessary for individuals to fulfill their obligations or exercise their rights before them.

Department, position, or name of the person to contact in the event of a complaint or claim.

Information on specific regulatory projects and their actions in the performance of their functions within the respective entity under their jurisdiction.

In no case shall the personal presence of the interested party be required to obtain this information, which must be provided, if so requested by any means, at the expense of the interested party.

ARTICLE 9. Obligation to serve the public. Public entities may not close their offices to the public until they have served all users who have entered during normal business hours, which must be a minimum of eight (8) hours per day, without prejudice to the implementation of special hours for serving the public in cases where the respective public entity does not have specialized personnel for that purpose. These entities shall implement a shift system in accordance with the new technologies used for this purpose. The Ministry of Foreign Affairs shall indicate the hours of operation at the nationality, treaties, and visa offices, due to the specialization and complexity of the issues they deal with, while maintaining permanent telephone and email service.

[\(Repealed by Article 309 of Law 1437 of 2011\)](#)

ARTICLE 10. Use of mail for sending information. Article 25 of Decree 2150 of 1995 is hereby amended to read as follows:

"ARTICLE 25. Use of mail for sending information. Public administration entities shall facilitate the receipt and sending of documents, proposals, or requests and their respective responses by certified mail and email.

Under no circumstances may requests or reports sent by individuals or legal entities that have been received by mail within the national territory be rejected or refused.

Requests from citizens or users shall be deemed to have been submitted on the date of posting, but for the purposes of calculating the response time, they shall be deemed to have been filed on the date on which the document actually arrives at the entity and not on the date of posting.

Requests made to the administrators or users referred to in this article, and which are sent by mail, must be answered within the period specified in the communication itself, which shall begin to run from the date of receipt of the communication at the addressee's domicile. When it is not possible to establish the date of receipt of the document at the addressee's address, it shall be presumed to be ten (10) days from the date of dispatch by mail.

Likewise, petitioners may request that documents or information be sent by mail to the public entity, for which purpose they must attach a postage-paid and duly completed envelope to their request.

PARAGRAPH. For the purposes of this article, delivery by certified mail shall be considered valid, provided that the address is correct and clearly filled out.

ARTICLE 11. Prohibition on requiring previously accredited requirements. Article 14 of Decree 2150 of 1995 is hereby amended to read as follows:

"ARTICLE 14. With regard to proceedings that must be carried out before the Public Administration, it is prohibited to require any proof or document certifying compliance with an administrative action that has been completed, when a current action implies that the previous one was duly concluded."

Likewise, documentation may not be requested for administrative acts issued by the same authority before which the respective action is being processed.

Administrative authorities of all kinds may not revive procedures or requirements that have been eliminated or modified by the legislature or the National Government."

ARTICLE 12. Prohibition on requiring proof of previous payments. Article 34 of Decree 2150 of 1995 is hereby amended to read as follows:

"ARTICLE 34. Prohibition on requiring proof of previous payments. In relation to payments that must be made to the Public Administration, it is prohibited to require proof of previous payments as a condition for accepting a new payment, unless the latter involves the compensation of debts with credit balances or excess payments, or in cases where the payment of periods in arrears to the Comprehensive Social Security System must be accredited by the appropriate party."

ARTICLE 13. Prohibition on requiring personal appearances to prove survival. No authority may require personal appearances to prove survival when no more than one (1) year has elapsed since the last appearance to prove survival. This term shall be three (3) months in the case of entities that are part of the Comprehensive Social Security System, unless the person is residing outside the country in a place where there is no Colombian consular representation, in which case the term of six (6) months shall apply.

PARAGRAPH. The certificate of survival may only be required when the benefit amount is paid into a checking or savings account opened in the name of the beneficiary, or when it is collected through a third party.

ARTICLE 14. Informal request by public entities. Article 16 of Decree-Law 2150 of 1995 shall read as follows:

"ARTICLE 16. Informal request by public entities. When public administration entities need to verify the existence of any circumstance necessary for the resolution of a procedure or request by individuals, which is handled by another public entity, they shall request that entity to send said information. In such cases, the burden of proof shall not fall on the user.

The exchange of information between different official entities will be permitted, in accordance with the principle of collaboration.

Information sent by fax or any other electronic means of transmission from a public entity shall be deemed sufficient and shall serve as evidence in the proceedings in question, provided that it is duly digitally certified by the issuing entity and has been requested by the senior official to whom the procedure is attributed.

When a public entity requires information from another public administration entity, the latter shall give priority to such requests and shall resolve them within a period not exceeding ten (10) days. To this end, they must establish compatible telematic systems that allow for the integration and sharing of information frequently used by other authorities.

(See Concept of the SCSC of the Council of State filed No. [1899](#) of 2008)

ARTICLE 15. Right of turn. The agencies and entities of the National Public Administration that hear petitions, complaints, or claims must strictly respect the order in which they are submitted, within the criteria set forth in the regulations on the right of petition referred to in Article [32](#) of the Administrative Litigation Code, regardless of the nature of the petition, complaint, or claim, unless they have legal priority. Special procedures regulated by law shall be dealt with in accordance with that law. If the right of priority is not enshrined in the special law, the provisions of this law shall apply.

All public entities, agencies, and offices must keep a record of documents submitted, in which all letters, petitions, and appeals submitted by users are recorded, so that users can verify strict compliance with the right of turn, within the criteria set forth in the regulations mentioned in the previous paragraph, which shall be public, as shall the register of matters filed with the entity or agency. Both the regulations and the register shall be made available to users at the customer service office or mechanism.

In the case of payments to be made by the Public Administration, these shall be subject to budgetary regulations.

ARTICLE 16. Unauthorized charges. No agency or entity of the National, departmental, district, or municipal Public Administration may charge any fee for the performance of its functions in the form of taxes, contributions, certifications, forms, or service prices that are not expressly authorized by law or by regulations issued by public corporations of the territorial order. The collection and updating of fees shall be carried out in accordance with the terms set forth in the law, ordinance, or agreement that authorized them.

The authorities may not increase fees or establish charges for the automation, standardization, or improvement of processes associated with the management of procedures.

(Amended by Article 7 of Decree [2106](#) of 2019)

(See Concept of the SCSC of the Council of State filed No. [1899](#) of 2008)

ARTICLE 17. Under no circumstances may the administration establish incentives for public servants for the imposition of fines or penalties, nor may the amount or value thereof be taken into account for the evaluation of their performance.

ARTICLE 18. Elimination of collection accounts. Article [19](#) of Decree-Law 2150 of 1995 shall read as follows:

"ARTICLE 19. Elimination of billing accounts. For the payment of contractual obligations incurred by public entities, or private entities that perform public functions or administer public resources, the contractor will not be required to submit billing accounts.

Purchase orders for goods or services, accompanied by the bid or quotation submitted by the bidder and accepted by the competent official, shall not require the bidder's signature of acceptance.

The foregoing is without prejudice to the obligation to issue an invoice or any other equivalent document when required by international treaties or laws.

ARTICLE 19. Publicity and notification of registration acts and deadline for appeal. For the purposes of Articles [14](#), [15](#), and [28](#) of the Administrative Litigation Code, the entities responsible for maintaining public records may inform interested parties of actions consisting of registration requests by publishing them in a public electronic medium, indicating the date of the request and the purpose of the registration.

The registration acts referred to in this article shall be deemed to have been notified to the parties involved in the proceedings and to third parties on the day on which the corresponding entry is made.

When the ongoing registration action is published in the manner provided for in the first paragraph of this article, any appeals against

the registration act may be filed within five (5) days following the date of the respective registration.

ARTICLE 20. Elimination of seals. In the course of the actions of the Public Administration, whether or not private individuals are involved, the use of seals, regardless of the method or technique used, is prohibited in the granting or processing of documents, except those required for security reasons.

The signature and title of the position shall be sufficient information for the issuance of the respective document. Public servants are prohibited from notarizing any seal made for use by the Public Administration. Notaries Public are also prohibited from recording such registrations or issuing certifications thereof.

PARAGRAPH . The present abolition of seals does not apply to products that require health registration, when regulations require it as mandatory, and to seals established on the basis of international agreements and treaties of a commercial nature signed by Colombia.

ARTICLE 21. Copies of civil status records. Copies of civil status records issued by the National Civil Registry or Notaries using magnetic and optical media shall have full probative value. The cost of these copies shall be borne by the citizen, taking into account the fee set annually by the National Civil Registry, which shall be determined in accordance with constitutional and legal provisions, and in no case may the price exceed the cost of reproduction.

PARAGRAPH . Copies of civil birth records shall be fully valid for all purposes, regardless of the date of issue. Consequently, no public or private entity may require this document with a specific date of issue, except for the processing of pensions, affiliation to social security for health, occupational hazards, and pensions, and for the celebration of marriage, events in which the corresponding civil registry with an updated date of issue may be requested, in no case less than three (3) months.

ARTICLE 22. Unique Personal Identification Number. The Unique Personal Identification Number (NUIP) is hereby created, which shall be assigned to Colombians by the National Civil Registry at the time of registration of the civil birth certificate issued by the officials who maintain the Civil Registry. The NUIP shall apply to all events and acts affecting the civil status of individuals and to all documents issued by public authorities.

The NUIP shall be assigned by each civil registry office and shall be administered by the National Civil Registry, which shall determine its composition and structure. For persons of legal age at the time of enactment of this law, the NUIP shall be understood to be the citizenship card number of each Colombian citizen.

The NUIP shall not change at any time, and when there are changes to documents, the original NUIP shall be retained.

The National Civil Registry may create mechanisms for issuing documents that allow for the full identification of minors and adults.

The NUIP shall be valid as a universal identification number in all entities of the Comprehensive Social Security System. ARTICLE 23.

Prohibition on retaining documents. Article 18 of Decree 2150 of 1995 is hereby amended to read as follows:

"ARTICLE 18. Prohibition on withholding documents. No authority may withhold a person's citizenship card, foreigner's card, passport, driver's license, criminal record, military service card, or any other document. If a person is required to provide identification, they shall comply with this obligation by presenting the corresponding document. It is prohibited to retain such documents for entry into any public or private facility."

ARTICLE 24. Presumption of validity of signatures. Signatures of individuals affixed to private documents that must be submitted to public authorities for processing shall not require authentication. Such signatures shall be presumed to be those of the person to whom they are claimed to belong. This presumption shall be rebutted if the person to whom the signature is said to belong challenges its authenticity, or if its falsity is determined by means of duly tested technological methods.

Documents involving transactions, waivers, and, in general, the disposal of rights must be submitted and provided to administrative processes and procedures in accordance with the applicable special regulations. Similarly, documents related to the comprehensive social security system and those related to the teaching profession are exempt.

[\(Amended by Decree 19 of 2012, Art. 36\)](#)

ARTICLE 25. Prohibition of extrajudicial statements. Article 10 of Decree 2150 of 1995 is hereby amended to read as follows:

"ARTICLE 10. Prohibition of extrajudicial statements. In all administrative proceedings or procedures, extrajudicial statements before a judge or authority of any kind shall be eliminated as a requirement. For these purposes, a statement made by the individual before the public entity shall suffice, which shall be understood to have been made under oath. When witnesses are required to attest to facts before an administrative authority, it shall suffice for them to make a statement under oath before the same authority, either verbally or in writing in a separate document, without prejudice to the right of the party affected by the administrative decision to exercise the right to challenge the testimony.

PARAGRAPH. The provisions of this article shall not apply in cases where the Public Administration acts as a social security or welfare entity or as the entity responsible for the recognition or payment of pensions, nor in cases provided for in relation to the General Social Security System for Health and Occupational Risks, nor in cases related to Social Protection established by the National Government.

CHAPTER II

RATIONALIZATION OF PROCEDURES FOR THE EXERCISE OF ACTIVITIES BY INDIVIDUALS

ARTICLE 26. Electronic invoicing. For all legal purposes, electronic invoices may be issued, accepted, filed, and generally carried out using any type of available technology, provided that all established legal requirements are met and the respective technology guarantees their authenticity and integrity from the time of issuance and throughout their retention period.

The possibility of charging for a service based on the issuance of an electronic invoice shall be subject to the express, informed, and written consent of the user or consumer of the good or service.

ARTICLE 27. Requirements for the operation of commercial establishments. The relevant authorities and public servants shall be subject only to the provisions of Law 232 of 1995, which establishes rules for the operation of commercial establishments, in terms of the requirements for the opening and operation of commercial establishments.

Compliance with legal requirements may not be conditioned on the issuance of opinions, certificates, or records that are not expressly listed in the aforementioned law.

The location of the types of establishments shall be determined within the POT, issued by the respective municipal councils, taking into account that in no case may activities be carried out whose purpose is illegal in accordance with the law.

[\(Regulated by Decree 1879 of 2008\).](#)

ARTICLE 28. Rationalization of the preservation of business books and papers. The books and papers of the merchant must be kept for a period of ten (10) years from the date of the last entry, document, or receipt, and may be kept, at the merchant's discretion, on paper or in any technical, magnetic, or electronic medium that guarantees their exact reproduction.

The same term shall apply in relation to individuals, not traders, who are legally obliged to retain this information. The foregoing is without prejudice to the lesser terms enshrined in special regulations.

CHAPTER III

REGULATIONS, PROCEDURES, AND PROCESSES OF TERRITORIAL ENTITIES

ARTICLE 29. Simplification of the procedure for demarcation and boundary marking of territorial entities. Articles 1 of Law 62 of 1939, 9 of Decree 1222 of 1986, and 20 of Decree 1333 of 1986 are hereby amended to read as follows:

Simplification of the procedure for demarcation and boundary marking of territorial entities. The Agustín Codazzi Geographic Institute shall carry out the demarcation and boundary marking of the territorial entities of the Republic, either ex officio or at the request of the legal representative of one, several, or all of the territorial entities concerned, and shall inform the Ministry of the Interior and Justice both of the initiation of the demarcation and boundary marking procedure and of the results thereof."

[\(Repealed by Article 14 of Law 1447 of 2011\)](#)

ARTICLE 30. Marking, demarcation, and provisional boundaries of territorial entities. Articles 6 of Law 62 of 1939, 13 of Decree 1222 of 1986, and 25 of Decree 1333 of 1986 are hereby amended to read as follows:

"Marking, demarcation, and provisional boundaries of territorial entities. The demarcation and marking adopted and approved by the competent authority shall be definitive, and the official map shall be published by the Agustín Codazzi Geographic Institute.

When the competent authority for approving the act of demarcation and boundary marking needs to resolve disputes or define a doubtful boundary, and does not do so within one year of the date of filing of the boundary file, drawn up by the Agustín Codazzi Geographic Institute, the technical layout proposed by this institute shall be considered a provisional boundary and shall have full legal effect until the demarcation and boundary marking are approved in the manner provided by law.

(Repealed by Article 14 of Law 1447 of 2011)

CHAPTER IV

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE INTERIOR AND JUSTICE SECTOR

ARTICLE 31. Single form for territorial entities. In order to minimize the number of forms that territorial entities must complete at the request of national entities, the Ministry of the Interior and Justice shall coordinate, within ninety (90) days from the enactment of this law, the design and application of a common format when several of them request information of the same nature.

The requesting entities shall be obliged to apply the format agreed upon with the Ministry of the Interior and Justice.

ARTICLE 32. Simplification of the registration process for the Benefits Program for Displaced Persons. Article 32 of Law 387 of 1997 shall read as follows:

"ARTICLE 32. Colombians who find themselves in the circumstances set forth in Article 1 of this law and who have reported those circumstances to the Attorney General's Office, the Ombudsman's Office, or the Municipal or District Ombudsman's Office, using the standard form designed by the Social Solidarity Network, shall be entitled to receive the benefits provided for in this law. Any of these agencies that receives the aforementioned declaration shall forward a copy thereof, no later than the following business day, to the Social Solidarity Network or to the office designated by it at the departmental, district, or municipal level, for registration in the benefits program.

PARAGRAPH. When it is established that the facts declared by the person claiming displaced status are not true, that person shall lose all the benefits granted by this law, without prejudice to any criminal penalties that may apply.

ARTICLE 33. Examination for the practice of the profession of official translator and interpreter. Article 4 of Decree 382 of 1951 is hereby amended to read as follows:

"ARTICLE 4. Examination for the practice of the profession of official translator and interpreter. Any person aspiring to practice the profession of Official Translator and Interpreter must pass the examinations on the subject matter administered by public and private universities that have language faculties duly accredited and recognized by the ICFES or the entity in charge of such recognition.

The document issued by the universities certifying that the corresponding exam has been passed, that is, the suitability to practice the profession, constitutes a license to work as an official translator and interpreter.

PARAGRAPH. Licenses issued prior to the entry into force of this law shall remain valid.

Those who, on the date of entry into force of this law, have passed the examination to certify their status as Official Translators or Interpreters and have not applied for the respective license from the Ministry of the Interior and Justice shall be governed by the provisions of this law.

ARTICLE 34. Divorce before a notary. The termination of the civil effects of any religious marriage and the divorce of a civil marriage may be agreed upon before a notary, by mutual agreement of the spouses, through a lawyer, by means of a public deed, without prejudice to the jurisdiction assigned to judges by law.

Divorce and the termination of civil effects before a notary public shall have the same effects as those decreed by a court.

PARAGRAPH . The Family Ombudsman shall intervene only when there are minor children; for this purpose, he shall be notified of the agreement reached by the spouses so that he may give his opinion on matters relating to the protection of minor children.

(Regulated by Decree 1069 of 2015, Arts. [2.2.6.8.1](#)- [2.2.6.8.7](#))

ARTICLE 35. Simplification of the registration process for indigenous councils and/or traditional authorities. Decree 1088 of 1993 is hereby amended in Articles [11](#), [12](#), and [14](#) as follows:

Article 11 shall read as follows:

ARTICLE 11. Registration of the association. Once the association has been formed, it must be registered with the Ethnic Groups Directorate of the Ministry of the Interior and Justice, which shall inform the territorial entities of this fact for the purposes of facilitating institutional coordination.

Article 12 shall read as follows:

ARTICLE 12. Requirements. The application for registration must contain the following documents:

A copy of the association's articles of incorporation, signed by the representatives of each associated council. A copy

of the minutes of the election and recognition of the council or indigenous authority by the respective community. A

copy of the association's statutes.

Article 14 shall read as follows:

ARTICLE 14. In matters not regulated herein, Decree [2164](#) of 1995 and/or the customs and traditions of the indigenous peoples shall apply. In no case shall requirements not provided for by law be imposed.

ARTICLE 36. The paragraph of Article [82](#) of Decree 2150 of 1995 is hereby amended to read as follows:

"PARAGRAPH. Under no circumstances shall a certificate of no reports of drug trafficking be issued to those who request it without a specific purpose. Without prejudice to the provisions of Article [87](#) of Decree 2150 of 1995, the National Narcotics Directorate may issue the certificate of absence of reports on drug trafficking to public entities, agencies, or departments when requested by them, for which the express written request of their legal representative or the person to whom they have delegated responsibility for this type of procedure shall suffice."

ARTICLE 37. Notaries shall also have jurisdiction over the following matters: establishment of family assets that are exempt from seizure; marriage settlements, establishment, dissolution, and liquidation of the property partnership of permanent partners; civil marriage and inventory of assets of minors under parental authority when the parents are administering them and wish to marry.

(Regulated by Decree 1069 of 2015, Arts. [2.2.6.10.1](#) - [2.2.6.10.5](#))

CHAPTER V

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE FOREIGN AFFAIRS SECTOR

ARTICLE 38. Proof of nationality. Article [3](#) of Law 43 of 1993 is hereby amended to read as follows:

"ARTICLE 3. Proof of nationality. For all legal purposes, the following shall be considered proof of Colombian nationality: the citizenship card for persons over eighteen (18) years of age, the identity card for persons over fourteen (14) years of age and under eighteen (18) years of age, or the civil birth certificate for persons under fourteen (14) years of age, issued under the organization and direction of the National Civil Registry, accompanied by proof of residence when applicable.

PARAGRAPH. However, persons who have fulfilled the conditions established in Article 96 of the Constitution to be Colombian by birth and who have not been issued documents proving their nationality, in accordance with the provisions of this article, may, solely for the purpose of renouncing Colombian nationality, submit the respective application accompanied by

documentation proving that the person is a Colombian national and that they meet the requirements set forth in the aforementioned article of the Political Constitution.

ARTICLE 39. Requirements for acquiring Colombian nationality by adoption. Article 5 of Law 43 of 1993 is hereby amended to read as follows:

"ARTICLE 5. Requirements for acquiring Colombian nationality through adoption. A Letter of Naturalization or Registration Resolution may only be issued:

Foreign nationals referred to in paragraph a) of section 2 of Article 96 of the Constitution who have been continuously domiciled in the country for the five (5) years immediately prior to the date of submission of the application and who hold a resident visa. In the event that the aforementioned foreigners are married to or are permanent partners of Colombian nationals, or have Colombian children, the term of continuous residence shall be reduced to two (2) years.

Latin Americans and Caribbean nationals by birth who, during the year immediately preceding the date of application, have been continuously domiciled in the country, taking into account the principle of reciprocity through existing international treaties.

Children of foreigners born in Colombian territory who are not recognized as nationals by any State; proof of nationality is the civil birth certificate, with no requirement of residence. However, foreign parents must provide certification from the diplomatic mission of their country of origin that said country does not grant the child the nationality of the parents by blood.

PARAGRAPH 1. The foregoing provisions shall apply without prejudice to the provisions on nationality established in international treaties to which Colombia is a party.

PARAGRAPH 2. For the purposes of this article, foreigners shall be deemed to be domiciled when the National Government issues them with the respective Resident Visa. Therefore, the terms of domicile shall be counted from the date of issue of the aforementioned visa.

PARAGRAPH 3. In accordance with the provisions of Article 20 of the Pact of San José, Costa Rica, the Convention on the Rights of the Child, and Article 93 of the Political Constitution, children of foreigners born in Colombian territory who are not recognized as nationals by any State shall be Colombian and shall not be required to provide proof of residence. and in order to prove that no other State recognizes their nationality, a declaration from the diplomatic or consular mission of the State of nationality of the parents shall be required.

ARTICLE 40. Interruption. Article 6 of Law 43 of 1993, amended by Article 77 of Decree 2150 of 1995, is hereby amended to read as follows:

"ARTICLE 6. Interruption of residence. Absence from Colombia for a period equal to or greater than one (1) year interrupts the period of continuous residence required in the previous article.

Only the President of the Republic, with the signature of the Minister of Foreign Affairs, may reduce or exempt the term of domicile provided for in paragraphs a) and b) of the previous article, when in his opinion it is considered convenient for Colombia.

Likewise, he may exempt from the requirements set forth in Article 9 of Law 43 of 1993, when he deems it convenient for Colombia. The provisions of paragraphs 1 and 5 of the aforementioned article are exempt from this provision."

ARTICLE 41. Documentation. Article 9 of Law 43 of 1993, amended by Article 79 of Decree 2150 of 1995, is hereby amended to read as follows:

"ARTICLE 9. Documentation. For the issuance of the Letter of Naturalization or Resolution of Registration as Colombians by adoption, the foreigner must submit the following documents:

Memorial addressed to the Minister of Foreign Affairs requesting Colombian nationality, with the respective justification.

Proof of satisfactory knowledge of the Spanish language, when this is not your mother tongue. For indigenous people who share border territories and speak one or more of Colombia's official indigenous languages, knowledge of Spanish will not be required. Those who have completed their secondary or university studies in Colombia and

persons over sixty-five (65) years of age.

Proof of basic knowledge of the Political Constitution of Colombia and general knowledge of Colombian history and geography. Those who have completed their secondary or university studies in Colombia and persons over sixty-five (65) years of age are exempt from this requirement.

Proof of profession, activity, or trade practiced in Colombia with certification issued by a competent authority. Proof, by means of a suitable

document, of the applicant's place and date of birth.

Civil marriage certificate valid in Colombia if the applicant is married to a Colombian citizen, or a court ruling issued by a family court judge to prove the existence of a de facto marital union.

Birth certificate of children born in Colombia, if applicable. Photocopy of valid

foreigner's identity card.

PARAGRAPH 1. Applicants who cannot meet any of the requirements set forth in this article must accompany their application for naturalization with a letter explaining the reasons that prevent them from doing so, addressed to the Ministry of Foreign Affairs, which will consider authorizing the submission of supplementary evidence in the case.

PARAGRAPH 2. Persons who obtain Colombian nationality through adoption shall define their military status in accordance with national legislation, unless they can prove that they have defined such status in accordance with the legislation of their country of origin.

PARAGRAPH 3. Knowledge tests may not be administered using multiple-choice questions.

PARAGRAPH 4. If the foreigner fails the knowledge exams, they may be repeated six (6) months after the date of the initial exams, provided that the interested party communicates in writing to the Ministry of Foreign Affairs their interest in repeating them.

PARAGRAPH 5. At the discretion of the Ministry of Foreign Affairs, the applicant may be interviewed by officials from the Legal Advisory Office (Nationality Area).

ARTICLE 42. Report on the applicant. Article 10 of Law 43 of 1993 is hereby amended to read as follows:

"ARTICLE 10. Report on the applicant. The Ministry of Foreign Affairs may request from the respective official authority the information necessary to obtain a complete understanding of the applicant's background, activities, and other information relevant to the purposes of this law. The Ministry shall request information from the Administrative Department of Security (DAS) on the activities of the foreign national, whether he or she has a criminal record, and any other information that this entity considers important. In any case, the report shall contain the information provided by the respective International Police Office, Interpol. The report submitted by the Administrative Department of Security (DAS) and the DIAN, if applicable, shall be confidential. In the event that the opinion is not satisfactory, the Ministry of Foreign Affairs may, without further formalities, deny the application for nationality.

CHAPTER VI

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE TREASURY AND PUBLIC CREDIT SECTOR

ARTICLE 43. Correction of errors and inconsistencies in tax returns and payment receipts. When, in verifying compliance with the obligations of taxpayers, responsible parties, withholding agents, and other tax filers, inconsistencies are detected in the completion of the forms prescribed for this purpose, such as omissions or errors in the concept of the tax being paid, year, and/or taxable period, these may be corrected ex officio or at the request of the party concerned, without penalty, so that the actual truth prevails over the formal truth generated by error, provided that the inconsistency does not affect the amount to be declared.

Under these same assumptions, the Administration may correct, without penalty, errors in the Tax Identification Number (NIT), allocation, or arithmetic errors, provided that the modification is not relevant to the substantive determination of the tax or the breakdown of the amounts withheld in the case of the monthly withholding tax return.

The correction may be made at any time by modifying the information in the systems used by the entity for this purpose, adjusting the relevant records and financial statements, and informing the interested party of the correction.

The corrected return replaces, for all legal purposes, the one submitted by the taxpayer, responsible party, withholding agent, or declarant, if the interested party has not submitted any written objection within one month of the notice.

(See Judgment of the Council of State, Fourth Section, Unification Judgment, File 25000-23-37-000-2014-00507-01(23854)_2022CE-SUJ-4-002 of September 8, 2022, C.P. Dr. Julio Roberto Piza Rodríguez)

ARTICLE 44. Information on taxpayers. The Tax Administration may not request information and evidence that has already been provided by the respective taxpayers and others required to provide it. If it does so, the individual may refrain from presenting it without incurring any penalty for doing so.

Requests for information and evidence related to investigations carried out by the national tax administration must be made to the main address of the taxpayers concerned.

PARAGRAPH. For the purposes of this article, information provided shall be understood to include, among other things, that contained in tax returns, in magnetic media delivered with external information, and that provided pursuant to tax inspection requests and visits.

ARTICLE 45. Requirements for consecutive numbering in the case of invoicing using cash registers. The following paragraph shall be added to Article 617 of the Tax Statute:

"ARTICLE 617. Tax Statute. (...)

"PARAGRAPH . In the case of invoicing by cash registers, the use of daily or periodic numbering shall be admissible, provided that it corresponds to a consecutive system that allows each invoiced transaction to be unequivocally identified and distinguished, whether by means of numerical, alphabetic, or alphanumeric prefixes or similar mechanisms."

ARTICLE 46. Streamlining the retention of supporting documents. The retention period for information and evidence referred to in Article 632 of the Tax Statute shall be for the period until the income tax return supported by the documents listed therein becomes final. The retention of information and evidence shall be carried out at the taxpayer's principal place of business.

ARTICLE 47. Establishment of tax refund procedures. Add to Article 855 of the Tax Statute a final paragraph with the following wording:

"ARTICLE 855. (...)

The term provided for in this article also applies to the refund of taxes paid and not incurred or paid in excess.

ARTICLE 48. Filing of national and local tax returns. Without prejudice to the provisions of Article 606 of the Tax Statute, national tax returns must be filed by each natural or legal person, without requiring a return for each of their establishments, branches, or agencies.

In the case of territorial taxes, a single return must be filed in each territorial entity, and for each tax, covering the different establishments, branches, or agencies that the taxpayer has in the respective territorial entity, except in the case of property tax.

ARTICLE 49. Article 144 of Law 446 of 1998 shall read as follows:

"Jurisdictional proceedings brought before the Superintendency of Industry and Commerce in matters of unfair competition shall be conducted in accordance with the provisions of the summary proceedings provided for in Chapter I, Title XXII, Book Three of the Code of Civil Procedure. In the event of claims for compensation, these shall be dealt with within the same proceedings.

TRANSITIONAL PARAGRAPH. In proceedings for unfair competition heard by the Superintendency of Industry and Commerce that were

initiated prior to the entry into force of this law, in the event that compensation for damages is requested, once the decision of the Superintendency of Industry and Commerce regarding the unfair competition conduct has become final, the affected party shall have fifteen (15) business days to request the settlement of the corresponding damages, which shall be resolved as an incidental proceeding in accordance with the provisions of the Code of Civil Procedure.

CHAPTER VII

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE SOCIAL PROTECTION SECTOR

ARTICLE 50. Pension recognition information subsystem. The Pension Recognition Information Subsystem is hereby created, which shall form part of the Comprehensive Social Security System and shall be managed by the Ministries of Finance and Public Credit and Social Protection, which shall act in coordination for this purpose. This subsystem, which shall be public, shall support the fulfillment of the mission, objectives, and functions of the entities responsible for pension recognition, report on institutional performance, and facilitate the evaluation of public management in this area.

The subsystem will include information on the following aspects:

Recognition of disability, old age, survivor, and occupational risk pensions; Recalculation of disability, old age, survivor, and occupational risk pensions.

The provisions of this article shall include the pension schemes exempted by Law 100 of 1993. ARTICLE 51. ID card. Article 40

of the Substantive Labor Code shall read as follows:

"ARTICLE 40. ID card. Companies may, at their discretion and as a means of identifying the personnel who provide services to them in their various forms, issue their workers, contractors, and personnel, as well as workers on assignment, with an ID card stating, as appropriate, the name of the direct worker, their ID number, and their position. In the case of contractors, the card shall contain the name of the persons authorized by the contractor or the temporary worker, specifying in such cases the name or business name of the contracting or temporary services company and the type of activity carried out. The card must be signed by the person authorized to issue it.

PARAGRAPH. The issuance of the card shall not require approval by any judicial or administrative authority.

ARTICLE 52. Determination of loss of working capacity and degree of disability. Article 41 of Law 100 of 1993 shall read as follows:

"ARTICLE 41. The state of disability shall be determined in accordance with the provisions of the following articles and based on the single manual for the assessment of disability, issued by the National Government, in force on the date of assessment, which shall include the technical evaluation criteria for assessing the inability of the affected person to perform their work due to loss of working capacity.

It is the responsibility of the Social Security Institute, the Occupational Risk Management Companies (ARP), the Insurance Companies that assume the risk of disability and death, and the Health Promotion Entities (EPS) to determine, at the first opportunity, the loss of working capacity and to assess the degree of disability and the origin of the contingencies. If the interested party does not agree with the assessment, within five (5) days of expressing their disagreement, the matter will be referred to the regional Disability Assessment Boards, whose decision may be appealed before the National Board. Legal action may be taken against these decisions.

The act declaring disability issued by any of these entities must expressly contain the factual and legal grounds that gave rise to this decision, as well as the manner and opportunity in which the interested party may request the assessment by the Regional Board and the power to appeal this assessment before the National Board.

When the disability declared by one of the aforementioned entities (ISS, ARP, or insurer) is less than ten percent (10%) of the limits that qualify the state of disability, it will be mandatory to refer the case to the Regional Disability Assessment Board at the entity's expense. These boards are interdisciplinary bodies whose composition may be regionalized and whose resources are regulated by the National Government in an equitable manner.

PARAGRAPH 1. For the selection of members of the Regional and National Boards for loss of working capacity and disability, the Ministry of Social Protection shall take into account the following criteria:

The selection shall be made through a public and objective competition, which shall be announced no less than two (2) months prior to the date of the competition and shall include the weighting criteria on the basis of which the members of these bodies shall be selected. The announcement shall be published in a widely circulated national medium.

The weighting criteria shall include aspects such as a minimum of five (5) years of professional experience and a written examination of academic background on the use of the manual on loss of working capacity and disability, which shall be conducted through a recognized academic institution.

The results of the competition shall be made public, and the members of the Boards shall be appointed by the Minister of Social Protection, starting with those who obtained the highest scores.

The selection process for the members of the disability assessment boards will be financed with resources from the Occupational Risk Fund.

PARAGRAPH 2. Social security entities and members of the Regional and National Disability Boards and qualified professionals shall be jointly and severally liable for rulings that cause harm to members or administrators of the Comprehensive Social Security System, when this fact is fully proven.

ARTICLE 53. The expressions "...at distances greater than two hundred (200) kilometers from their domicile" and "and have the approval of the corresponding labor official or the highest political authority of the place where the hiring takes place" shall be deleted from Article 73 of the Substantive Labor Code.

ARTICLE 54. Strengthening of the Occupational Risk Information System. In order to strengthen the Information System within the General Occupational Risk System, the Ministry of Social Protection shall be solely responsible for coordinating the necessary information requirements, without prejudice to the inspection and surveillance powers exercised by the Superintendency of Banking over Occupational Risk Administrators. In cases where the information requirements are related to administrative investigation processes, they may be requested directly by the competent entity.

ARTICLE 55. Elimination of the review and approval of the Health and Safety Regulations by the Ministry of Social Protection. Article 349 of the Substantive Labor Code shall read as follows:

"Employers with ten (10) or more permanent employees must draw up special health and safety regulations no later than three (3) months after the start of work, in the case of a new establishment. The Ministry of Social Protection shall monitor compliance with this provision."

ARTICLE 56. Streamlining of procedures relating to the Teachers' Social Benefits Fund. The social benefits to be paid by the National Teachers' Social Benefits Fund shall be recognized by the aforementioned Fund through the approval of a draft resolution by the Fund's administrator, which must be prepared by the Secretary of Education of the corresponding certified territorial entity to which the teacher is affiliated. The administrative act of recognition shall be made by means of a resolution signed by the Secretary of Education of the territorial entity.

(This article was repealed by Law 1955 of 2019, which issues the National Development Plan) (Regulated by Decree 1075 of

2015, Art. 2.4.4.2.3.2.2)

ARTICLE 57. Deadline for subsequent control of health registrations. For the purposes of health registrations that are granted automatically in accordance with legal provisions, Invima shall carry out the first subsequent control within fifteen (15) days of their issuance.

ARTICLE 58. Temporary freezing or suspension of the sale or use of products and objects by INVIMA. Measures to freeze or temporarily suspend the sale or use of products and objects shall be decided by INVIMA or the competent health authority within a maximum period of sixty (60) calendar days, which cannot be extended, and in the case of perishable products and objects, before half of the period remaining until the product's expiration or expiry date. In any case, this period shall not exceed the established sixty (60) calendar days.

Within three (3) business days, the administration must inform the holder of the Health Registry and/or owner of the frozen goods of the term of the freeze, considering the time necessary to evaluate the evidence and make the appropriate decision

without exceeding the established limit.

(This article was repealed by Law 1955 of 2019, which issues the National Development Plan).

CHAPTER VIII

REGULATIONS, PROCEDURES, AND FORMALITIES IN THE COMMERCE, INDUSTRY, AND TOURISM SECTOR

ARTICLE 59. Streamlining of authorizations and approvals for imports and exports. Within a period not exceeding six (6) months from the enactment of this law, the Ministry of Commerce, Industry, and Tourism shall coordinate with the relevant entities to consolidate information on prior approvals and state authorizations to which imports and exports are subject and shall promote the rationalization thereof through the appropriate mechanisms in accordance with the Political Constitution. T h i s i s without prejudice to the powers vested in each of the authorities within their respective areas of competence.

Within three (3) months of the effective date of this law, the authorities responsible for approvals and authorizations shall establish a single window and form system that meets the requirements and demands of the competent entities for the performance of foreign trade operations, so that the response to the user comes from a single entity, thereby fulfilling the requirements of the other entities.

PARAGRAPH 1. Any act of creating approvals or authorizations for imports or exports must be reported to the Ministry of Commerce, Industry, and Tourism at the time of issuance.

PARAGRAPH 2. The entities with which importers or exporters must register in advance in order to obtain approvals or authorizations to carry out their operations shall establish mechanisms to facilitate consultation of such registrations or publish them via the Internet and may not require such registration again at their offices located in the country's ports, airports, and border areas.

ARTICLE 60. For the physical review, inspection, and handling of cargo at ports, airports, and border areas, for goods entering or leaving the country, the DIAN, together with the entities that are legally mandated to intervene in the inspection and certification thereof, shall provide the necessary mechanisms so that such review, inspection, and handling are carried out in a single procedure, the duration of which may not exceed one (1) calendar day and the cost of which shall be a single fee.

(Regulated by Decree 1520 of 2008)

CHAPTER IX

REGULATIONS, PROCEDURES, AND FORMALITIES IN THE EDUCATION SECTOR

ARTICLE 61. Representatives of the Minister of National Education before territorial entities. Article 149, paragraph 5 of Article 159, and paragraph 5 of Article 160 of Law 115 of 1994 are hereby repealed.

ARTICLE 62. Recognition of higher education studies completed abroad. Henceforth, the recognition of partial studies completed abroad shall be carried out directly by the higher education institution in which the interested party wishes to continue their studies, provided that recognition agreements exist. The validation of degrees shall be the responsibility of the Ministry of National Education.

Higher education institutions in the country may approve, recognize credits, knowledge, or skills acquired by students from a foreign higher education institution whose degree was not validated to complete their studies in Colombia, or those degrees referred to as unofficial or proprietary university degrees that were awarded after Law 1753 of 2015 came into force.

(Article AMENDED by Art. 33 of Law 2136 of 2021)

ARTICLE 63. Streamlining of procedures related to technical, professional, and technological training institutions. Article 12 of Law 749 of 2002 is hereby repealed, and Article 11 of Law 749 of 2002 is hereby amended to read as follows:

"ARTICLE 11. Technical and technological institutions are, by their nature, higher education institutions called upon to lead technical and technological training in the country and to respond with quality to the demand for this type of training.

Notwithstanding the foregoing, technical and technological institutions may offer professional programs only through preparatory cycles, when they are derived from technical and technological training programs. To this end, they must obtain qualified registration for each of the cycles that make up the program.

The registration granted to a program structured in preparatory cycles shall be considered as a unit, and it shall be necessary for its operation to maintain the cycles as they were registered in the National Higher Education Information System (SNIES).

ARTICLE 64. Rationalization of the participation of the Minister of Education or his representative or delegate in boards and councils. As of the effective date of this law, the participation of the Minister of National Education, or his representative or delegate, in the following boards and councils is hereby abolished:

Colombian Association of Dietitians and Nutritionists.

Colombian Professional Commission for Industrial

Design. Professional Council of Biology.

Professional Advisory Council for Artists. Council

of Naval Engineering and Related Fields.

National Council of Electrical Technicians.

National Professional Council of Technologists in Electricity, Electromechanics, Electronics, and Related Fields.

National Council of Library Science.

National Professional Council of Economics.

National Professional Council of Business Administration and Social Work. Professional

Council of Transportation and Roads Engineering of Colombia.

National Professional Council of Architecture and Auxiliary Professions.

Professional Council of Travel Agents.

Professional Council of Geographers.

Professional Council of Geology.

Professional Council of Public Administrators.

Professional Council of Tourism Guides.

National Professional Council of Electrical and Mechanical Engineering and Related

Professions. Professional Council of Medicine, Veterinary Medicine, and Animal Husbandry.

Professional Council of Chemistry.

National Professional Council of Engineering and Auxiliary Professions.

National Professional Council of Technologists in Electricity, Electromechanics, Electronics and Related Fields.

National Professional Council of Surveying.

Technical Council of Accounting.

National Technical Council of Nursing.

National Technical Council of Optometry.

Omar Rayo Museum Foundation.

Board of Directors of the Valle Symphony Orchestra Foundation.

Board of Directors of the Cali Departmental Institute of Fine Arts. (See

[Constitutional Court Ruling C-230-08](#))

CHAPTER X

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE TRANSPORTATION SECTOR

ARTICLE 65. Information system. In the event of vehicle immobilization, the traffic authorities shall establish a central information system, preferably accessible by telephone, that allows interested parties to immediately find out where the vehicle is immobilized.

ARTICLE 66. Payments. Payments to be made for fines, tow trucks, and parking, in the event of immobilization of motor vehicles for traffic violations, shall be paid in a single transaction at the financial institutions with which the traffic authorities have agreements for this purpose. Under no circumstances may a single office, branch, or agency be designated for the payment of the amounts referred to herein.

ARTICLE 67. Calculation of time. For the purposes of collecting parking fees for vehicles immobilized by the traffic authorities, only the actual time between the imposition of the fine and its payment to the corresponding authority may be calculated.

In this regard, the time taken by the interested party to comply with the additional requirements mentioned in the previous paragraph to remove the motor vehicle will not be taken into account.

ARTICLE 68. Procedure for special permits for oversized agricultural transport. The National Roads Institute shall grant special individual or collective permits for up to three (3) years for the transport of agricultural products and service goods on national roads with extra-dimensional vehicles, provided that the interested parties, owners, or holders of such vehicles take out a policy or guarantee of liability for damage to third parties, roads, and infrastructure. The authorized dimensions and weights shall be determined according to Inviás' technical criteria.

[\(Repealed by Art. 336 of Law 1955 of 2019\)](#)

CHAPTER XI

PROCEDURES AND PROCESSES RELATED TO THE MINISTRY OF THE ENVIRONMENT, HOUSING, AND TERRITORIAL DEVELOPMENT

ARTICLE 69. Streamlining of the procedure for transferring fiscal assets pursuant to Law 708 of 2001. The national entities referred to in Article 1 of Law 708 of 2001 may transfer fiscal real estate, or the portion thereof intended for the construction or development of social housing projects, directly to municipalities and districts, subject to the signing of an agreement between the National Housing Fund and the territorial entity, whereby the purpose of assigning such real estate as a Family Housing Subsidy in kind by the Fund is preserved and the preservation of the property will be the responsibility of the entity receiving the real estate.

ARTICLE 70. Single forms for obtaining permits, licenses, concessions, and/or authorizations for the use and/or exploitation of renewable natural resources. Within two (2) months of the entry into force of this law, the Ministry of Environment, Housing, and Territorial Development, in coordination with the Regional Autonomous Corporations, shall establish single forms for obtaining permits, licenses, concessions, and/or authorizations for the use and/or exploitation of renewable natural resources and environmental control.

PARAGRAPH. The forms thus issued shall be mandatory for use by the Regional Autonomous Corporations and other environmental authorities.

ARTICLE 71. Filing of documents to carry out construction and sale of real estate intended for housing. Those interested in carrying out housing plans shall file only the following documents with the municipal or district administration body responsible for supervising and controlling the construction and sale of real estate contemplated in Law 66 of 1968 and Decree 2610 of 1979:

- a. Property registration document for the property or properties covered by the application, issued no more than three (3) months prior to the date of application;
- b. Copies of the contract templates to be used in the sale of real estate to buyers, in order to verify the consistency and validity of the clauses with compliance with the civil and commercial regulations governing the contract;
- c. The financial budget for the project;
- d. The relevant urban planning license, except in the case of the pre-sale system;
- e. When the property on which the plan or program is to be developed is encumbered by a mortgage, proof must be provided that the mortgagee undertakes to release the lots or buildings that are being sold, through the proportional payment of the lien affecting each lot or building.

PARAGRAPH 1. These documents shall be available to buyers of housing plans at all times so that they may carry out the necessary studies to determine the advisability of the purchase.

PARAGRAPH 2. The National Government shall regulate the manner of filing the documents and the terms and procedures for reviewing the information required in this article.

PARAGRAPH 3. Under no circumstances may the partial or total execution of urbanization or construction works, as the case may be, be required as a precondition for the filing of the documents referred to in this article; however, the provisions of paragraph 5 of Article 5 of Law 9 of 1989 must be complied with. In the event that new documents are required to be filed or any condition of those already filed is changed, the municipal or district authority may not request permission, authorization, or additional procedures other than the simple filing of the new document.

(Regulated by Decree 1077 of 2015, Arts. 2.2.5.3.1 - 2.2.5.3.9)

(Amended by Decree 19 of 2012, Art. 185)

CHAPTER XII

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE CULTURE SECTOR

ARTICLE 72. Streamlining of the sports recognition process. Paragraph 3 of Article 18 of Decree-Law 1228 of 1995 shall read as follows:

"Sports recognition shall be granted for a term of five (5) years, counted from the date of execution of the corresponding administrative act."

ARTICLE 73. Paragraph 1 of Article 4 of Law 788 of 2002 shall read as follows:

"ARTICLE 4. Distribution of resources. Resources allocated to health shall be transferred in accordance with current regulations to the departmental and Capital District health funds. Resources allocated to finance sports shall be transferred to the respective departmental sports entity created to address sports, recreation, and physical education."

ARTICLE 74. Participation in governing bodies. The Ministry of Culture shall only participate in the National Councils for Arts and Culture and in the Mixed Funds for the Promotion of Culture and the Arts at the national level. As of the effective date of this law, national contributions made to the Departmental and District Mixed Funds shall be transferred to the respective territorial entities.

The Departmental, District, and Municipal Councils for Culture and the Joint Funds for the Promotion of Culture and the Arts shall proceed to reform as necessary to comply with the provisions of this article.

CHAPTER XIII

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE MINING AND ENERGY SECTOR

ARTICLE 75. Repeal of the provisions establishing the capacity of municipalities producing precious metals for the purposes of royalty transfers. Articles 30, 31, 32, and 33 of Law 756 of 2002 are hereby repealed.

(Amended by Decree 3075 of 2005, Art. 1)

ARTICLE 76. Compliance with requirements. Paragraph 3 of Article 10 of the Petroleum Code, Decree 1056 of 1953, is hereby amended to read as follows:

"ARTICLE 10. Compliance with requirements. (...)

The Ministry of Mines and Energy shall declare that foreign companies have complied with the requirements set forth in this provision, upon request by the interested parties, accompanied by the respective documents."

CHAPTER XIV

PROCEDURES AND PROCESSES RELATED TO THE NATIONAL CIVIL REGISTRY

ARTICLE 77. Rationalization of the civil registry of persons. Article 118 of Decree-Law 1260 of 1970, amended by Article 10 of Decree 2158 of 1970, is hereby amended to read as follows:

"ARTICLE 118. The following are responsible for maintaining the civil registry of persons:

1. Within the national territory, the Special, Auxiliary, and Municipal Civil Registrars.

The National Civil Registry may, on an exceptional and well-founded basis, authorize notaries, municipal mayors, magistrates and police inspectors, and chiefs or governors of indigenous councils to keep civil status records.

2. Outside the country, consular officials of the Republic.

PARAGRAPH . The National Civil Registry Office may establish civil registration in clinics and hospitals, as well as in officially recognized educational institutions, retaining the authorization of registrations by Civil Registry Officers.

CHAPTER XV

REGULATIONS, PROCEDURES, AND FORMALITIES OF THE COMMUNICATIONS SECTOR

ARTICLE 78. Article 19 of Law 30 of 1986 is hereby repealed.

CHAPTER XVI

PROCEDURES BEFORE THE SECTOR RELATED TO THE NATIONAL ADMINISTRATIVE DEPARTMENT OF STATISTICS

FINAL PROVISIONS

ARTICLE 79. Failure to comply with all or part of the provisions of this law shall constitute misconduct in accordance with the Single Disciplinary Code.

ARTICLE 80. Public entities shall, within six (6) months of the entry into force of this law, adapt their structure and technology in order to comply with its provisions.

ARTICLE 81. No anonymous report or complaint may give rise to judicial, criminal, disciplinary, or fiscal action, or action by the competent administrative authority (except when the veracity of the reported facts is at least summarily proven) or when it refers specifically to clearly identifiable facts or persons.

ARTICLE 82. Travel abroad by minors. If the minor is accompanied by both (2) parents, no document other than a passport shall be required, except for a civil birth certificate in the event that the names of the parents are not included in the passport.

ARTICLE 83. For the import and/or sale of alcoholic beverages, the approval or substitution of the health registration shall not be accepted under any circumstances.

ARTICLE 84. UNENFORCEABLE. Article 164 of Law 23 of 1982 shall read as follows:

"Article 164. For the purposes of this law, public performance shall not be considered to be that which is carried out for strictly educational purposes, within the premises and facilities of educational institutions, provided that no fee is charged for admission, and that which is carried out for strictly personal purposes by retailers who do not obtain any economic benefit from such performance, which shall be categorized by the Ministry of the Interior."

NOTE: The Constitutional Court, in Ruling C-120 of 2006, declares this article UNCONSTITUTIONAL.

ARTICLE 85. No later than December 31, 2007, all State entities that, due to the nature of the services they provide, must serve the people they serve on a massive scale, must implement adequate technological systems to grant appointments or service slots automatically and in a timely manner without the need for the user or applicant to appear in person.

Failure to comply with this rule constitutes grounds for misconduct and serious misconduct on the part of the representative or head of the respective entity or agency.

ARTICLE 86. Validity and repeals. This law shall take effect upon its publication and repeals any provisions that contradict it.

THE PRESIDENT OF THE HONORABLE SENATE OF THE REPUBLIC,

LUIS HUMBERTO GÓMEZ GALLO.

THE SECRETARY GENERAL OF THE HONORABLE SENATE OF THE REPUBLIC,

EMILIO RAMÓN OTERO DAJUD.

THE PRESIDENT OF THE HONORABLE CHAMBER OF REPRESENTATIVES,

ZULEMA DEL CARMEN JATTIN CORRALES.

THE SECRETARY GENERAL OF THE HONORABLE CHAMBER OF REPRESENTATIVES,

ANGELINO LIZCANO RIVERA.

REPUBLIC OF COLOMBIA - NATIONAL GOVERNMENT PUBLISH AND

EXECUTE.

Given in Bogotá, D.C., on the 8th day of July 2005.

ÁLVARO URIBE VÉLEZ

THE MINISTER OF THE INTERIOR AND JUSTICE,

SABAS PRETELT DE LA VEGA.

THE MINISTER OF FINANCE AND PUBLIC CREDIT, ALBERTO

CARRASQUILLA BARRERA.

THE DIRECTOR OF THE ADMINISTRATIVE DEPARTMENT OF THE CIVIL SERVICE, FERNANDO

ANTONIO GRILLO RUBIANO.

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