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### **The Supervisory Agency of Investment in Energy and Mining mandates the creation of an External Meeting Log and amends the COVID-19 State of Emergency Supervision Protocol**

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On June 13<sup>th</sup>, The Supervisory Agency of Investment in Energy and Mining (*Organismo Supervisor de la Inversión en Energía y Minería – OSINERGMIN*), issued Board of Directors' Resolutions 65-2020-OS/CD and 66-2020-OS/CD.

First, Resolution 65-2020-OS/CD created the External Meetings Log (*Agenda de Reuniones Externas*), which mandates the registration and recording of meetings between representatives from regulated companies and users' associations with senior OSINERGMIN officials; as well as the registration and recordings of hearings of administrative proceedings under the jurisdiction of OSINERGMIN.

Moreover, Resolution 65-2020-OS/CD requires the release of the aforementioned registrations and recordings, subject to the exceptions set forth by Peruvian government transparency and freedom of information regulations.

This is the first implementation of transparency measures of this kind amongst Peruvian regulators, and the mechanism was created following a series of transparency recommendations set forth by the Organization of Economic Cooperation and Development – OECD to regulatory agencies.

Furthermore, Resolution 66-2020-OS/CD amended the COVID-19 State of Emergency Supervision Protocol of OSINERGMIN, approved by OSINERGMIN Board of Directors' Resolution 33-2020-OS/CD.

In accordance to Resolution 66-2020-OS/CD, OSINERGMIN may broaden the scope of supervision activities under its jurisdiction to all companies authorized to gradually restart their economic activities under the subsequent phases of the Economic Restart Strategy, set forth by the Peruvian government under Supreme Decree 80-2020-PCM and other applicable legislation.

Moreover, Resolution 66-2020-OS/CD enables OSINERGMIN to carry out physical and on-site supervision actions following remote supervision activities, whenever deemed necessary. Physical and

on-site oversight activities must comply with the OSINERGMIN COVID-19 Oversight, Prevention and Control Plan, as well as the general rules and regulations applicable to COVID-19 prevention.

Note: This article is intended to be a general summary of the Resolutions. However, it does not constitute legal advice. You should consult with counsel to determine applicable legal requirements in a specific situation.

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