



Uruguay
Presidencia

ARCE Agencia
Reguladora de
Compras Estatales

Register of State Providers

Registro Único de Proveedores del Estado (RUPE)

FOREIGN CORPORATIONS AND ASSOCIATIONS

INFORMACIÓN DE INTERÉS

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To be and remain enrolled in ACTIVO (active) state in RUPE, with opportunities to contract with the State, a Foreign Company or Association must provide and enter into the system the information hereof.

Instructions:

The original documents supporting the information entered on the supplier's file, must be digitized (scanned) and uploaded to RUPE. If a document has multiple pages it must be scanned in a single file. Max file size: 10Mb.

All documents signed by hand require notarization of signature. The certification document must be specific and mention this. It must have the appropriate bonds between documents and also be included in the scan, as part of the same digital file.

National legal documents that are uploaded to RUPE may not be older than 30 days (or 60 days in case of foreign documents), counted from the date of issue or grant until the presentation in a point of personal attention "Punto de atención", for verification (i.e. for a Uruguayan public servant to certify that the originals and the copies match). If the documents are older, they shall be updated by notarization, to comply with the requirement noted above.

The documentation that comes from outside the country must be presented legalized and legally translated, if applicable, in original or notarial document.

Once the Notary Public analyzes the documents, the observations to be edited will be sent, or full approval of it will be given enabling you to start the process of legalization in the country of origin of the supplier. As soon as it is completed, the documentation must be uploaded onto the system with all the notes, stamps and records that account for the legalization process and / or translation.

After that, the supplier must send all original documents uploaded onto the system to a [Customer Contact Point](#), for verification purposes by a Uruguayan Public Servant. Once the provider shows up for a call, the notarial documents will be validated by the Notary Public of the organization to which it has been submitted.

For more information about entering information in RUPE, see "Guías para la inscripción en RUPE" (Guidelines for RUPE registration) in the portal www.gub.uy/agencia-reguladora-compras-estatales

A) Companies or organizations not registered in the Unified Tax Registry (RUT) of the Uruguayan Tax Collection Office (DGI).

1. RUPE Application Form containing informed consent for use of data, completed and signed by the owner or representative. The signatures must be notarized and the certified document must be explicitly mentioned.

Use the form 0 "RUPE registration request" (with bank account subscription contract), published on the website www.gub.uy/agencia-reguladora-compras-estatales (Proveedores \ RUPE \ Formularios).

Note: In case of **not** registering a bank account, you can use the form above indicated, without completing the bank account field (do not delete that sector, rather simply do not complete it) or generate the form using the system, using the "*Generar solicitud*" (generate application) button located at the bottom of the page.

In the DOCUMENTS tab, upload a single file with the form and signature certification and label it as SOLICITUD DE INSCRIPCIÓN AL RUPE Y CONTRATO DE ADHESIÓN (RUPE application and adhesion contract) -if you have a registered bank account- or SOLICITUD DE INSCRIPCIÓN AL RUPE (RUPE application) -if do not have a registered bank account-.



2. Notarial certificate issued in Uruguay or country of origin (duly legalized and translated -if applicable-) stating:
 - a) Full name of the organization, legal nature, date of establishment, document that was extended, public records in which is registered, publication, if it is applicable, and validity
 - b) Registered address (street, number, city, country and postal code).
 - c) Social Purpose.
 - d) All legal representatives (Name, identification number, position, capacity and form of action)
 - e) Fulfillment with all requirements of form and substance required for its establishment by the law of the place where it was created.

The statutes or the contract of establishment of the entity will not be sufficient to meet this requirement, the presentation of a document containing the points a) to e) being always necessary.

In the DOCUMENTOS tab upload the notarial certificate and label it as CERTIFICADO NOTARIAL (certificate of attorney).

Then complete the REPRESENTANTES Y TITULARES (representatives and owners) tab.

3. In case of **power of attorney from abroad**, the following documentation is required, according to Law 18.362 Art. 291, 5°:
 - a) if private document, provide original notarial certification of signatures and later formalization before our country.
 - b) if public document, provide formalization before our country.

Important: The accreditation of attorney in fact is optional, so it is required to submit power of attorney only if the provider has decided to declare an attorney in fact.

In the DOCUMENTOS tab, upload the power of attorney and label it as PODERES Y ACTOS MODIFICATIVOS (powers and amending acts).

Then complete the REPRESENTANTES Y TITULARES (representatives and owners) tab.

Below you will find a sample power of attorney we recommend to use; however, any documents that meet the formal requirements as specified in this instructive and in applicable national norms are admissible.



Table 2 – Power of Attorney model

This power of attorney model seeks to address all faculties that a provider can delegate to representatives / attorneys to represent him before the Uruguayan Government.

It is recommended to apply the faculties included in the sample, eliminating only those not wished to delegate.

The undersigned (legal person or entity)..... (form of identification: all personal details) authorizes..... (form of identification: all personal details) acting (jointly or separately) on behalf of the represented as agent (nature of power) to perform any type of procedure, arrangement and/or petitions against any Government Entity, including specifically the faculties to:...

[Detail: engage, charge, claim checks and grant payment letters, remove guarantees, give and receive information about the vendor, grant all kinds of documents including affidavits, sign documents related to RUPE or any other act which it could be required]

The list of faculties is merely illustrative and it includes all those related to the object of the power.

This Power of Attorney shall be considered current and valid until the corresponding revocation or modification registered in the National Register of Personal Acts is submitted in RUPE.

The personal intervention of the grantors of the Power of Attorney will not mean tacit revocation.

Notarial intervention for the purposes of the certification is required.

Must contain stamp duty and the corresponding notarial fees (Article 39 of Law 17.437-if applicable-).

4. When purchases or service contracts abroad were to be carried out by representatives of foreign firms, it may only be made possible through the ones duly registered in the National Register of Representatives of Foreign Firms (Ministry of Economics and Finance) under the provisions in Law No. 16.497 of 06/15/94, and its Regulatory Decree No. 369/94 of 08/22/94.

Clarification: only natural or legal persons domiciled in Uruguay who, in a habitual and autonomous manner, provide services consisting of preparing, promoting, facilitating or perfecting the transfer of goods or services offered by foreign firms receiving a commission or percentage charged to the principal (Art. 1 Law No. 16,497).

In this case, you must upload the certificate of registration in the referred register to the DOCUMENTOS tab and label it as CERTIFICADO NO NOTARIAL (non-attorney certificate).

5. They must certify **compliance with tax and social security obligations in the country of origin of the entity** by a document issued by competent authority in which compliance and validity of that accreditation arises, according to the laws of their country of origin. The documentation must be legalized and translated -if applicable-, in accordance with the correspondent rules that apply to the case.

In the absence of proof referred to above, substitute for sworn declaration of:

- a) compliance with tax and social security duties in the country of origin of the entity, and
- b) that the document indicated in the last paragraph does not exist.



The declaration must have certified signatures by a notary public or the one who replaces it and must be legalized and translated, -if applicable-, in accordance with the correspondent rules that apply to the case.

Documents evidencing compliance with tax and social security (according to the option that is chosen) must be uploaded to the DOCUMENTOS tab in a single file and labeled as CONSTANCIA DE CUMPLIMIENTO DE OBLIGACIONES TRIBUTARIAS Y PREVISIONALES (Certificate of compliance with tax and social security duties).

6. **Bank accounts** documentation.

Accreditation of at least one bank account is required for enrollment, the provider must select the scope of coverage (if applicable for Statewide or only some state government).

The registration of an account number in the providers tab, associated with certain public entities, is under the responsibility of the provider. In order to avoid any inconvenience, it is recommended to verify that public entities accept to transfer their payments to that bank, type of account and currency.

To incorporate bank accounts to RUPE at the time of registration, you must complete, within the form 0 – Application for registration to RUPE (with adhesion contract to a bank account), the `accounts` area. In the same contract may indicate several bank accounts.

Note: In case you enter bank accounts from foreign countries, it is required to complete the SWIFT code.

Additionally, for every bank account is required a bank certificate issued by the bank, stating:

- Bank account holder
- Name of the bank
- Account number
- Bank branch
- Type of account
- Currency

These bank certificate could be replace by an electronic certificate, print screen or ATM receipt, if count with all requirements.

The bank certificate is not be necessary if the bank account is from a Bank abroad.

In the DOCUMENTOS tab you must upload the certificate and classify it as CUENTAS BANCARIAS (bank constances).

After uploading the documents you must complete the information in the CUENTAS BANCARIAS tab, paying particular attention to the format of the account number.

Additional information to submit:

In addition to the preceding information and documentation, it is essential that providers enter their contact details.

- Address: Must incorporate to RUPE the tax address and a specific address for notifications.
- Phone: Must incorporate to RUPE one or more phone numbers, always including the country prefix.
- Email: RUPE uses as "Primary Email" the one which was used for registration, in order to make



communications with the related registered provider, such as receiving passwords, changing message status, etc. It is also used by the online bidding system in www.comprasestatales.gub.uy for sending the password required to bid. Additionally, it is highly desirable that the provider entering in the *Comunicaciones (Communications)* section at least one e-mail address to receive email communications from any public entity. If desired, it can be the same that was indicated as principal.

B) Companies or Associations registered in the Unified Tax Registry (RUT) of the Uruguayan Tax Collection Office (DGI).

You must register following the instructive called “Sociedades Comerciales” for Commercial Companies or “Asociaciones Civiles” for Civil Associations as applicable and in accordance with the procedure established by Law N ° 16.060 dated 09/05/89 (Article 193), the notarized document shall indicate source, legalization and registration of the entity in the Register of Legal Entities of its statutes and publications.

Clarification: Foreign suppliers domiciled in the country must select ENTIDAD RESIDENTE (PERSONA JURÍDICA DEL EXTERIOR) [Resident entity (legal person from outside)] and those who do not have domicile in the country ENTIDAD NO RESIDENTE (PERSONA JURÍDICA DEL EXTERIOR) [Non-Resident entity (legal person from outside)], regardless of their legal nature in the country of origin.

Annex:

Norms regulating legalization and translation of foreign documents:

- [Decree - Law No. 15.441](#) - Foreign documents – Set of rules for legalization.
- [Law 16.871](#) - Public Records Law - Articles 42 and 91.
- [Inter-American Convention on Legal rules for Powers of Attorney to be used abroad](#), signed in Panama on January 30, 1975 Ratified by [Law No. 14.534](#).
- [Agreement that abolished the Requirement of Legalization for Foreign Public Documents](#), signed at The Hague Tribunal on October 5, 1961 Ratified by [Law No. 18.836](#) - [More Info](#).