

ARGENTINA CIVIL COMMERCIAL CODE 2015 ENGLISH VERSION

ARTICLE 1.- Sources and application_ The cases that this Code governs must be resolved according to the laws that are applicable, in accordance with the National Constitution and the human rights treaties in which the Republic is a party. For this purpose, the purpose of the rule is taken into account. The uses, practices, and customs are binding when laws or interested parties refer to them or in situations not regulated by law, provided they are not contrary to law_

Article 2: the interpretation, the law must be interpreted according to its words, the analogous laws, its purposes, the dispositions of human rights, principles and legal values.

Article 3: The judge must resolve the matters that are submitted to his jurisdiction by a reasonably founded decision_

CHAPTER 2

Article 4:

Subjective field the laws are mandatory for all those who inhabit the territory of the Republic, whether citizens or foreigners, residents, domiciled or bystanders, without prejudice to the provisions of special laws.

Article 5: validity, the laws apply after the eighth day of their official publication, or from the day they determine.

Article 6: ARTICLE 6.- Mode of counting the intervals of the right. The way to count the intervals of the right is as follows: a day is the interval that runs from midnight to midnight. In the terms set in days, counting from a certain one, it is excluded from the calculation, which should start the next one. The terms of months or years are computed from date to date. When in the month of the expiration there was no equivalent day to the initial of the computation, it is understood that the term expires the last day of that month. The terms expire at the twenty-fourth hour of the respective expiration date. The civil calculation of the terms is of full and continuous days, and the non-working or non-working days are not excluded. In the terms set in hours, counting from a certain time, it is excluded from the calculation, which must start from the next hour. The laws or the parties may provide that the calculation be made in another way.

www.sebs.com – www.inheritestate.com – www.limeres.com – www.limereslaw.com – www.bofb.com

–

ARTICLE 7 – Temporal effectiveness. From its entry into force, the laws are applied to the consequences of existing relationships and legal situations. The laws do not have retroactive effect, whether or not they are of public order, except as otherwise provided. The retroactivity established by law can not affect rights protected by constitutional guarantees.

article 8: Principle of inexcusability. Ignorance of the laws does not serve as an excuse for compliance, if the exception is not authorized by the legal system.

First. “In the cases in which at the time of entry into force of this law had been decreed personal separation, any of those who were spouses may request the conversion of the sentence of personal separation in divorce link_

“In the cases in which at the time of entry into force of this law had been decreed personal separation, any of those who were spouses may request the conversion of the sentence of personal separation in divorce link.

If the conversion is requested by mutual agreement, the judge who intervened in the separation or the domicile of any of the petitioners is competent, at their option; it is resolved, without any formalities, with the approval of the petition.

if requested unilaterally, the judge who intervened in the separation or the domicile of the ex-spouse who does not request the conversion is competent; the judge decides on a preliminary hearing for three (3) days.

The conversion resolution must be noted in the record that noted the separation. ”

Second. “They are considered just reasons and do not require judicial intervention for the change of pomp and surname, cases in which there is a simple or full adoption sentence and even if it had not been annulled, provided it is proven that the adoption has as background the separation of the adopted from his biological family by means of State terrorism. “(Corresponds to article 69 of the Civil and Commercial Code of the Nation).

Article 9: 1517/5000

Dispose of transitory norms of application of the Civil and Commercial Code of the Nation, the following:

First. “The rights of the indigenous peoples, in particular, the community property of the lands they traditionally occupy and of those suitable and sufficient for human development, will be the subject of a special law.” (Corresponds to Article 18 of the Civil and Commercial Code of the nation).

Second. “The protection of the embryo not implanted will be the subject of a special law.” (Corresponds to Article 19 of the Civil and Commercial Code of the Nation).

Third. “Those born before the entry into force of the Civil and Commercial Code of the Nation by techniques of assisted human reproduction are children of the one who gave birth and of the man or woman who has also given his prior, informed and free consent to the realization of the procedure that gave rise to the birth, the birth certificate must be completed before the Civil Registry and Capacity of the Persons when only the filial link with the person who gave birth and always with the consent of the other mother or father that does not appear in said act. “(Corresponds to Chapter 2 of Title V of Book Two of the Civil and Commercial Code of the Nation).

Quarter. “The responsibility of the national State and its officials for the acts and omissions committed in the exercise of their functions shall be the subject of a special law.” (Corresponds to articles 1764, 1765 and 1766 of the Civil and Commercial Code of the Nation).

Article 10: Communicate to the National Executive Power.

GIVEN IN THE SESSION OF THE ARGENTINE CONGRESS, IN BUENOS AIRES, THE FIRST DAY OF THE MONTH OF OCTOBER OF THE YEAR TWO THOUSAND FOURTEEN.

ANNEX I

PRELIMINARY TITLE CHAPTER 1

Law

ARTICLE 1

.- Sources and application. The cases that this Code governs must be resolved according to the laws that are applicable, in accordance with the National Constitution and the human rights treaties in which the Republic is a party. For this purpose, the purpose of the rule is taken into account. The uses, practices, and customs are binding when laws or interested parties refer to them or in situations not regulated by law, provided they are not contrary to law.

ARTICLE 2.- Interpretation. The law must be interpreted taking into account its words, its purposes, the analogous laws, the provisions that arise from the treaties on human rights, the principles and legal values, in a manner consistent with the entire order.

ARTICLE 3.- Duty to resolve. The judge must resolve the matters that are submitted to his jurisdiction by means of a reasonably founded decision.

EPISODE 2

Law

ARTICLE 4.- Subjective scope. The laws are mandatory for all those who inhabit the territory of the Republic, whether citizens or foreigners, residents, domiciled or bystanders, without prejudice to the provisions of special laws.

1065/5000

ARTICLE 5.- Validity. The laws apply after the eighth day of their official publication, or from the day they determine.

ARTICLE 6.- Mode of counting the intervals of the right. The way to count the intervals of the right is as follows: a day is an interval that runs from midnight to midnight. In the terms set in days, counting from a certain one, it is excluded from the calculation, which should start the next one. The terms of months or years are computed from date to date. When in the month of the expiration there was no equivalent day to the initial of the computation, it is understood that the term expires the last day of that month. The terms expire at the twenty-fourth hour of the respective expiration date. The civil calculation of the terms is of full and continuous days, and the non-working or non-working days are not excluded. In the terms set in hours, counting from a certain time, it is excluded from the calculation, which must start from the next hour. The laws or the parties may provide that the calculation be made in another way.

ARTICLE 7 – Temporal effectiveness. From its entry into force, the laws are applied to the consequences of existing relationships and legal situations.

The laws do not have retroactive effect, whether or not they are of public order, except as otherwise provided. The retroactivity established by law cannot affect rights protected by constitutional guarantees.

The new supplementary laws are not applicable to contracts in course of execution, with the exception of the rules that are most favorable to the consumer in consumer relations.

ARTICLE 8.- Principle of inexcusability. Ignorance of the laws does not serve as an excuse for compliance if the exception is not authorized by the legal system.

Article 9:

Dispose as transitory norms of application of the Civil and Commercial Code of the Nation, the following:

First. “The rights of the indigenous peoples, in particular, the community property of the lands they traditionally occupy and of those suitable and sufficient for human development, will be the subject of a special law.” (Corresponds to Article 18 of the Civil and Commercial Code of the nation).

Second: Second. “The protection of the embryo not implanted will be the subject of a special law.” (Corresponds to Article 19 of the Civil and Commercial Code of the Nation).

Third: “Those born before the entry into force of the Civil and Commercial Code of the Nation by techniques of assisted human reproduction are children of the one who gave birth and of the man or woman who has also given his prior, informed and free consent to the realization of the procedure that gave birth and of the man or woman who has also given his prior, informed and free consent to the realization of the procedure that gave rise to the birth, the birth certificate must be completed before the Civil Registry and Capacity of the Persons when only the filial link with the person who gave birth and always with the consent of the other mother or father that does not appear in said act.

“(Corresponds to Chapter 2 of Title V of Book Two of the Civil and Commercial Code of the Nation).

[embedyt] <https://www.youtube.com/watch?v=fezpXP3h5rA>[/embedyt]

Second: Second. “The protection of the embryo not implanted will be the subject of a special law.” (Corresponds to Article 19 of the Civil and Commercial Code of the Nation).

Third: “Those born before the entry into force of the Civil and Commercial Code of the Nation by techniques of assisted human reproduction are children of the one who gave birth and of the man or woman who has also given his prior, informed and free consent to the realization of the procedure that gave birth and of the man or woman who has also given his prior, informed and free consent to the realization of the procedure that gave rise to the birth, the birth certificate must be completed before the Civil Registry and Capacity of the Persons when only the filial link with the person who gave birth and always with the consent of the other mother or father that does not appear in said act. “(Corresponds to Chapter 2 of Title V of Book Two of the Civil and Commercial Code of the Nation).

334/5000

Quarter. "The responsibility of the national State and its officials for the acts and omissions committed in the exercise of their functions shall be the subject of a special law." (Corresponds to articles 1764, 1765 and 1766 of the Civil and Commercial Code of the Nation).

ARTICLE 10. – Communicate to the national Executive Power.

GIVEN IN THE SESSION OF THE ARGENTINE CONGRESS, IN BUENOS AIRES, THE FIRST DAY OF THE MONTH OF OCTOBER OF THE YEAR TWO THOUSAND FOURTEEN.

– REGISTERED UNDER Nº 26,994 –

AMADO BOUDOU. – JULIAN A. DOMINGUEZ. – Lucas Chedrese. – Juan H. Estrada.

ANNEX I

PRELIMINARY TITLE

CHAPTER 1

Law:

Article one: sources and application. The cases that this code governs must be resolved according to the laws that are applicable, in accordance to the national constitution and the national right treaties in those that the Republic is part of. For this purpose, the purpose of the rule is taken into account. The uses, practices and customs are binding when laws or interested parties refer to them or in situations not regulated by law, provided they are not contrary to law.

ARTICLE 2.- Interpretation. The law must be interpreted taking into account its words, its purposes, the analogous laws, the provisions that arise from the treaties on human rights, the principles and legal values, in a manner consistent with the entire order.

ARTICLE 3.- Duty to resolve. The judge must resolve the matters that are submitted to his jurisdiction by means of a reasonably founded decision.

Chapter 2

EPISODE 2

Law

ARTICLE 4.- Subjective scope. The laws are mandatory for all those who inhabit the territory of the Republic, whether citizens or foreigners, residents, domiciled or bystanders, without prejudice to the provisions of special laws.

ARTICLE 5.- Validity. The laws apply after the eighth day of their official publication, or from the day they determine.

ARTICLE 6.- Mode of counting the intervals of the right. The way to count the intervals of the right is as follows: day is the interval that runs from midnight to midnight. In the terms set in days, counting from a certain one, it is excluded from the calculation, which should start the next one. The terms of months or years are computed from date to date. When in the month of the expiration there was no equivalent day to the initial of the computation, it is understood that the term expires the last day of that month. The terms expire at the twenty-fourth hour of the respective expiration date. The civil calculation of the terms is of full and continuous days, and the non-working or non-working days are not excluded. In the terms set in hours, counting from a certain time, it is excluded from the calculation, which must start from the next hour. The laws or the parties may provide that the calculation be made in another way.

ARTICLE 7 – Temporal effectiveness. From its entry into force, the laws are applied to the consequences of existing relationships and legal situations.

The laws do not have retroactive effect, whether or not they are of public order, except as otherwise provided. The retroactivity established by law can not affect rights protected by constitutional guarantees.

The new supplementary laws are not applicable to contracts in course of execution, with the exception of the rules that are most favorable to the consumer in consumer relations.

ARTICLE 8.- Principle of inexcusability. Ignorance of the laws does not serve as an excuse for compliance, if the exception is not authorized by the legal system.

CHAPTER 3

Exercise of rights

ARTICLE 9.- Principle of good faith. The rights must be exercised in good faith.

ARTICLE 10.- Abuse of the right. The regular exercise of an own right or the fulfillment of a legal obligation can not constitute any act as illegal.

The law does not protect the abusive exercise of rights. It is considered such that it contradicts the purposes of the legal system or that exceeds the limits imposed by good faith, morality and good manners.

The judge must order what is necessary to avoid the effects of the abusive exercise or the abusive legal situation and, if applicable, seek the replacement of the previous factual status and set compensation.

ARTICLE 11.- Abuse of dominant position. The provisions of articles 9 and 10 apply when a dominant position in the market is abused, without prejudice to the specific provisions contemplated in special laws.

ARTICLE 12.- Public order. Fraud to the law. The particular conventions can not leave without effect the laws in whose observance the public order is interested.

The act in respect of which the protection of a legal text is invoked, that pursues a result substantially analogous to that prohibited by a peremptory norm, is considered to be granted in fraud to the law. In that case, the act must be subject to the mandatory rule that is to be avoided.

ARTICLE 13.- Waiver. The general waiver of the laws is prohibited. The effects of the law can be waived in the particular case, unless the legal system prohibits it.

ARTICLE 14.- Individual rights and collective incidence. In this Code, the following are recognized:

1. a) individual rights;
1. b) collective advocacy rights.

The law does not protect the abusive exercise of individual rights when it may affect the environment and collective rights in general

CHAPTER 4

Rights and goods

ARTICLE 15.- Ownership of rights. Individuals are holders of individual rights over the assets that make up their assets in accordance with what is established in this Code.

ARTICLE 16.- Goods and things. The rights referred to in the first paragraph of Article 15 may fall on goods that may be of economic value. Material goods are called things. The dispositions referring to things are applicable to the energy and natural forces susceptible to being put at the service of man.

ARTICLE 17.- Rights on the human body. The rights over the human body or its parts do not have a commercial value, but affective, therapeutic, scientific, humanitarian or social and can only be available by the owner provided that any of these values are respected and as provided by special laws.

ARTICLE 18.- Rights of the indigenous communities. Recognized indigenous communities have the right to community possession and ownership of the lands they traditionally occupy and those that are suitable and sufficient for human development as established by law, in accordance with the provisions of article 75, subsection 17 of the National Constitution

CHAPTER 1

Beginning of existence

ARTICLE 19.- Beginning of existence. The existence of the human person begins at conception.

ARTICLE 20.- Duration of pregnancy. Time of conception. Time of conception is the lapse between the maximum and the minimum set for the duration of pregnancy. It is presumed, except evidence to the contrary, that the maximum time of pregnancy is three hundred days and the minimum of one hundred and eighty, excluding the day of birth.

ARTICLE 21.- Birth with life. The rights and obligations of the person conceived or implanted in the woman are irrevocably acquired if she is born alive.

If it is not born alive, it is considered that the person never existed. The birth with life is presumed.

EPISODE 2

CAPACITY

General principles

ARTICLE 22.- Capacity of right. Every human person has the aptitude to be the holder of legal rights and duties. The law may deprive or limit this ability with respect to facts, simple acts, or specific legal acts.

ARTICLE 23.- Exercise capacity. All human beings can exercise their rights by themselves, except for the limitations expressly provided in this Code and in a judicial decision.

ARTICLE 24.- Persons unable to exercise. They are unable to exercise:

1. a) the person to be born;
2. b) the person who does not have sufficient age and degree of maturity, with the scope set forth in Section 2 of this Chapter;
3. c) the person declared incapable by judicial decision, to the extent provided in that decision.

Minor person

ARTICLE 25.- Minor and adolescent. Minor is the person who has not turned eighteen.

This code says adolescent to the minor who turned thirteen.

ARTICLE 26.- Exercise of the rights by the minor. The underage person exercises his rights through his legal representatives.

However, the relationship with the age and degree of maturity can be exercised by itself the acts that allow you to obtain the legal order. In situations of conflict of interest with your legal representatives, you can intervene with legal assistance.

The minor has the right to be heard throughout the judicial process that concerns him as well as to participate in decisions about his person.

It can be presumed that the adolescent between thirteen and sixteen years old has an aptitude to decide why, that there are no invasives, nor can compromise their state of health or cause a serious risk in their life or physical integrity.

If they are invasive treatments that compromise their health status or are at risk of life or life, the adolescent must give their consent with the assistance of their parents; the conflict between both was resolved to take into account their best interest, based on the medical opinion regarding the consequences of the performance or the medical act.

From the age of sixteen, the adolescent is considered as an adult for the decisions of the patients to take care of their own body.

ARTICLE 27.- Emancipation. The celebration of marriage before the age of eighteen emancipates the minor.

The emancipated person enjoys full exercise capacity with the limitations provided in this Code.

Emancipation is irrevocable. The nullity of a marriage does not cease to be effect emancipation, except in respect of the spouse in bad faith for the man who from the sentence passes to the authority of res judicata.

If something is due to the minor with the possibility of not being able to perceive it at the age of majority, emancipation does not alter the obligation and the time of its enforceability.

ARTÍCULO 28.- Actos prohibidos a la persona emancipada. La persona emancipada no puede, ni con autorización judicial:

1. a) aprobar las cuentas de sus tutoriales y darles finiquito;
2. b) hacer donación de bienes que haya recibido a título gratuito;
3. c) Afianzar obligaciones.

ARTÍCULO 29.- Actos subjetivos a autorización judicial. El emancipado requiere autorización judicial para disponer de los bienes recibidos a título gratuito. La autorización debe ser otorgada cuando el acto sea de toda necesidad o de ventaja evidente.

ARTICLE 30.- a Minor person with qualifying professional title. The minor who has acquired qualification for the exercise of a profession may authorize it on his own account. It has the administration and disposition of the goods that it can acquire with the product of its profession and can be in a civil or penal judgment by questions linked to it.

Capacity restrictions

ARTICLE 31; general rules, the restriction to the exercise of legal capacity is reduced to the following general rules:

1. a) the general exercise capacity of the human person is presumed, even when he/she is inside an assistance establishment;
1. b) limitations on exceptional capacity and are always imposed for the benefit of the person;
1. c) State intervention has an interdisciplinary character, both in the treatment and in the judicial process;
1. d) the person has the right to receive information through means and technologies for their understanding;
1. e) the person has the right to participate in the judicial process with legal assistance, which must be provided by the State if it lacks means;
1. f) therapeutic alternatives that are less restrictive of rights and freedoms must be prioritized.

ARTICLE 32.- Person with restricted capacity and with incapacity. The judge may restrict the capacity for certain acts of a person over thirteen years of age who suffers from an addiction or a permanent or prolonged mental disorder, of sufficient severity, provided that he considers that the exercise of his full capacity may result in harm to his person or to your assets.

In relation to such acts, the judge must designate the necessary support or supports provided for in Article 43, specifying the functions with reasonable adjustments depending on the needs and circumstances of the person.

The or designated supports should promote autonomy and favor decisions that respond to the preferences of the protected person.

By exception, when the person is absolutely unable to interact with their environment and express their will by any means, means or appropriate format and the support system is ineffective, the judge can declare the disability and appoint a curator

ARTICLE 33.- Legitimized. They are entitled to request the declaration of incapacity and restricted capacity:

1. a) the interested party himself;
1. b) the spouse not separated in fact and the partner while the coexistence has not ceased;
1. c) relatives within the fourth degree; if they were by affinity, within the second degree;
1. d) the Public Ministry.

ARTICLE 34.- Precautionary measures. During the process, the judge must order the necessary measures to guarantee the personal and patrimonial rights of the person. In such a case, the decision must determine which acts require the assistance of one or more supports, and which representation of a curator. You can also designate support networks and people who act with specific functions depending on the case.

ARTICLE 35.- Personal interview. The judge must guarantee the immediacy with the interested party during the process and interview him personally before issuing any resolution, ensuring accessibility and reasonable adjustments of the procedure according to the situation of the former. The Public Ministry and, at least, a lawyer who provides assistance to the interested party, must be present at the hearings.

ARTICLE 36.- Intervention of the interested party in the process. Competition. The person in whose interest the process is carried forward is a party and can provide all the evidence that they make to their defense.

Once the request for declaration of incapacity or restriction of the capacity has been filed with the judge corresponding to his domicile or the place of his internment, if the person in whose interest the

proceeding is carried out has appeared without a lawyer, one must be appointed so that Represent her and give her legal assistance in the trial.

The person who requested the declaration can provide all kinds of evidence to prove the facts invoked ARTICLE 37.- Judgment. The sentence must be pronounced on the following aspects related to the person in whose interest the process is followed:

1. a) diagnosis and prognosis;
1. b) time when the situation manifested;
1. c) existing personal, family and social resources;
1. d) regime for protection, assistance and promotion of the greatest possible autonomy.

To be issued, the opinion of an interdisciplinary team is essential.

ARTICLE 38.- Scope of the sentence. The sentence must determine the extent and scope of the restriction and specify the functions and acts that are limited, ensuring that the affectation of personal autonomy is the least possible. Likewise, it must designate one or more support persons or curators according to what is established in article 32 of this Code and indicate the conditions of validity of the specific acts subject to the restriction with indication of the person or persons involved and the modality of his performance

ARTICLE 39.- Registration of the sentence. The sentence must be registered in the Registry of Civil Status and Capacity of Persons and must be recorded separately from the birth certificate.

Without prejudice to the provisions of article 45, the acts mentioned in this Chapter produce effects against third parties only from the date of registration in the register.

Once the restrictions have disappeared, registration is immediately canceled.

ARTICLE 40.- Review. The review of the declaratory judgment can take place at any time, at the request of the interested party. In the case provided for in article 32, the sentence must be reviewed by the judge within a period not exceeding three years, based on new interdisciplinary opinions and mediating the personal interview with the interested party.

It is the duty of the Public Prosecutor's Office to supervise the effective fulfillment of the judicial review referred to in the first paragraph and to urge, if applicable, that it be carried out if the judge has not done so within the time established therein.

ARTICLE 41.- Internment. The internment without the consent of a person, whether or not his capacity is restricted, proceeds only if the precautions provided for in the special legislation and the general rules of this Section are complied with. In particular:

1. a) it must be based on an evaluation of an interdisciplinary team in accordance with the provisions of article 37, stating the reasons that justify it and the absence of an effective alternative less restrictive of their freedom;
1. b) it only proceeds in the presence of a certain and imminent risk of significant damage to the protected person or to third parties;
1. c) it is considered a therapeutic resource of a restrictive nature and for the shortest possible time; it must be supervised periodically;
1. d) due process, immediate judicial control and the right of defense through legal assistance must be guaranteed;
1. e) the sentence that approves the internment must specify its purpose, duration and periodicity of the review.

Every person with mental illnesses, whether or not they are admitted, enjoys the fundamental rights and their extensions.

ARTICLE 42.- Transfer arranged by public authority. Evaluation and hospitalization. The public authority may order the transfer of a person whose state does not admit delays and who is in a certain and imminent risk of harm to himself or to third parties, to a health center for his evaluation. In this case, if

admission is admitted, the deadlines and modalities established in the special legislation must be complied with. The security forces and public health services must provide immediate assistance.

Paragraph 2

Systems to support the exercise of capacity

ARTICLE 43.- Concept. Function. Designation. Support is understood as any measure of a judicial or extrajudicial nature that facilitates the person who needs it to make decisions to direct his person, administer his assets and celebrate legal acts in general.

Support measures have the function of promoting autonomy and facilitating communication, understanding and expression of the will of the person to exercise their rights.

The interested party can propose to the judge the designation of one or more persons of his trust to give him support. The judge must evaluate the scope of the appointment and seek the protection of the person in case of conflicts of interest or undue influence. The resolution must establish the condition and quality of the support measures and, if necessary, be registered in the Registry of Civil Status and Capacity of Persons.

Paragraph 3

Acts performed by an incapacitated person or with a restricted capacity

ARTICLE 44.- Acts subsequent to the registration of the judgment. The acts of the incapacitated person with limited capacity that contradict the provisions of the judgment made after their registration in the Registry of Civil Status and Capacity of Persons are null.

ARTICLE 45.- Acts prior to registration. The acts prior to the registration of the sentence may be declared null, if they harm the incapacitated person or with restricted capacity, and any of the following ends is met:

1. a) the mental illness was evident at the time of the celebration of the act;
1. b) who contracted with him was in bad faith;
1. c) the act is free of charge.

ARTICLE 46.- Deceased person. After his death, inter vivos acts prior to the registration of the sentence can not be challenged, except that the mental illness results from the act itself, that the death occurred after the action for the declaration of incapacity or restricted capacity was promoted, the act is free of charge, or it is proved that the person who contracted with her acted in bad faith.

Paragraph 4

Cessation of disability and restrictions on ability

ARTICLE 47.- Procedure for the cessation. The cessation of incapacity or restriction of capacity must be decreed by the judge who declared it, after examination of an integrated interdisciplinary team in accordance with the guidelines of article 37, which rules on the reestablishment of the person.

If the restoration is not complete, the judge can expand the list of acts that the person can perform on their own or with the assistance of their curator or support.

Paragraph 5

Disabled

ARTICLE 48.- Proxies. Those who by the prodigality in the management of their assets may expose their spouse, cohabitant or their minor or disabled children to the loss of their assets may be disqualified. For these purposes, a person with a disability is considered to be any person who suffers from a permanent or prolonged functional alteration, physical or mental, which in relation to their age and social environment implies considerable disadvantages for their family, social, educational or work integration. The action only corresponds to the spouse, partner and ascendants and descendants.

ARTICLE 49.- Effects. The declaration of disqualification matters the designation of a support, which must assist the disqualified in the granting of acts of disposition between alive and in the other acts that the judge fixes in the sentence.

ARTICLE 50.- Termination of the disqualification. The cessation of the disqualification is decreed by the judge who declared it, after an interdisciplinary examination that dictates on the reestablishment of the person.

If the restoration is not complete, the judge can expand the list of acts that the person can perform on their own or with support.

CHAPTER 3

Very personal rights and acts

ARTICLE 51.- Inviolability of the human person. The human person is inviolable and in any circumstance has the right to the recognition and respect of their dignity.

ARTICLE 52.- Affections to the dignity. The human person injured in their personal or family privacy, honor or reputation, image or identity, or that in any way is impaired in their personal dignity, can claim the prevention and repair of the damages suffered, in accordance with the provisions of Book Three. , Title V, Chapter 1.

ARTICLE 53.- Right to the image. To capture or reproduce the image or voice of a person, in any way that is done, your consent is necessary, except in the following cases:

1. a) that the person participates in public events;
1. b) that there is a priority scientific, cultural or educational interest, and that sufficient precautions are taken to avoid unnecessary harm;
1. c) that it concerns the regular exercise of the right to report events of general interest.

In case of deceased persons, their heirs or the one designated by the deceased can give their consent in a last-will disposition. If there is disagreement between heirs of the same degree, the judge solves.

Twenty years after death, non-offensive reproduction is free.

ARTICLE 54.- Dangerous acts. Compliance with the contract that aims to perform acts dangerous to the life or integrity of a person is not required, except that they correspond to their usual activity and that preventive and security measures appropriate to the circumstances are adopted.

ARTICLE 55.- Disposition of personal rights. The consent for the disposition of the most personal rights is admitted if it is not contrary to the law, morals or good customs. This consent is not presumed, is restrictive, and freely revocable.

ARTICLE 56.- Acts of disposition over one's own body. Acts of disposition of the body that cause a permanent reduction of its integrity or are contrary to the law, morality or good customs are prohibited, unless they are required for the improvement of the health of the person, and exceptionally of another person. , in accordance with the provisions of the legal system.

The ablation of organs to be implanted in other people is governed by special legislation.

The consent for acts not included in the prohibition established in the first paragraph can not be supplemented, and is freely revocable.

ARTICLE 57.- Prohibited practices. Any practice designed to produce a genetic alteration of the embryo transmitted to their offspring is prohibited.

ARTICLE 58.- Investigations on human beings. Medical research in humans through interventions, such as treatments, prevention methods, diagnostic or predictive tests, whose efficacy or safety are not scientifically proven, can only be carried out if the following requirements are met:

1. a) clearly describe the project and the method that will be applied in a research protocol;
1. b) be carried out by people with the appropriate scientific and professional qualifications and qualifications;
1. c) have the prior approval of an accredited committee for the evaluation of research ethics;
1. d) have the prior authorization of the corresponding public body;
1. e) be based on a careful comparison of the risks and burdens in relation to the foreseeable benefits they represent for the people participating in the research and for other people affected by the subject under investigation;

1. f) have the prior, free, written, informed and specific consent of the person participating in the investigation, to whom the objectives and methodology of the investigation, its risks, and possible benefits must be explained in understandable terms; said consent is revocable;
1. g) not imply disproportionate risks and discomforts for the participant in relation to the benefits expected from the research;
1. h) safeguard the privacy of the person who participates in the investigation and the confidentiality of their personal information;
1. ensure that the participation of the subjects of the investigation is not burdensome to them and that they have access to appropriate medical attention in case of adverse events related to the investigation, which should be available when required;

ARTICLE 59.- Informed consent for medical acts and health research. Informed consent for medical acts and health research is the declaration of will expressed by the patient, issued after receiving clear, accurate and adequate information regarding:

1. a) your state of health;
1. b) the proposed procedure, specifying the objectives pursued;
1. c) the expected benefits of the procedure;
1. d) the foreseeable risks, discomforts, and adverse effects;
1. e) the specification of alternative procedures and their risks, benefits, and detriments in relation to the proposed procedure;
1. f) the foreseeable consequences of the non-performance of the proposed procedure or of the specified alternatives;
1. g) in case of suffering an irreversible, incurable disease, or when it is terminally ill or has suffered injuries that place it in the same situation, the right to refuse surgical, hydration, feeding, artificial resuscitation or withdrawal procedures. measures of life support, when they are extraordinary or disproportionate in relation to the prospects of improvement, or produce excessive suffering, or have as their sole effect the prolongation in time of that irreversible and incurable terminal stage;
1. h) The right to receive comprehensive palliative care in the process of care for your illness or condition.

No person with a disability can be subjected to health research without their free and informed consent, for which they must be guaranteed access to the supports they need.

No one can be subjected to clinical or surgical examinations or treatments without their free and informed consent, except as otherwise provided by law.

If the person is absolutely unable to express his will at the time of medical care and has not expressed it in advance, the consent may be granted by the legal representative, the support, the spouse, the partner, the relative or the close associate. to the patient, whenever there is an emergency situation with a certain and imminent risk of a serious illness for his life or health. In the absence of all of them, the doctor can dispense with consent if their action is urgent and is intended to prevent serious harm to the patient.

ARTICLE 60.- Advance medical directives. The fully capable person can anticipate directives and confer mandates regarding their health and in anticipation of their own disability. It may also designate the person or persons who must express consent for medical acts and to exercise their curatorship. The directives that imply developing euthanasic practices are considered unwritten.

This declaration of will can be freely revoked at any time.

ARTICLE 61.- Exequias. The fully capable person may dispose of, by any means, the manner and circumstances of his funeral and burial, as well as the giving of all or part of the corpse for therapeutic, scientific, pedagogical or similar purposes. If the will of the deceased has not been expressed, or it is not presumed, the decision corresponds to the spouse, the partner and, failing that, to the relatives according to the order of succession, who can not give the corpse a destination different from that which would have been given by the deceased. deceased of having been able to express his will.

CHAPTER 4

First name

ARTICLE 62.- Right and duty. The human person has the right and the duty to use the name and surname that corresponds to him.

ARTICLE 63.- Rules concerning the prenomens. The choice of prenomens is subject to the following rules:

1. a) corresponds to the parents or to the persons to whom they give their authorization for such purpose; in the absence or impediment of one of the parents, the choice corresponds or give the authorization to the other; in the absence of all, it must be done by the custodians, the Public Ministry or the Official of the Registry of Civil Status and Capacity of Persons;
1. b) they can not register more than three pre-name, last names as pre-names, first identical pre-names to first pre-names of alive brothers; neither can extravagant preteens register;
1. c) Aboriginal or aboriginal names derived from indigenous and Latin American aboriginal voices may be registered.

ARTICLE 64.- Last name of the children. The married son carries the first surname of one of the spouses; in case there is no agreement, it is determined by lottery made in the Registry of Civil Status and Capacity of Persons. At the request of the parents, or of the interested party with sufficient age and maturity, the surname of the other may be added.

All children of the same marriage must have the last name and the compound integration that has been decided for the first of the children.

The extramarital son with only one filial link carries the surname of that parent. If the filiation of both parents is determined simultaneously, the first paragraph of this article applies. If the second filiation is determined later, the parents agree on the order; In the absence of agreement, the judge arranges the order of surnames, according to the best interest of the child.

ARTICLE 65.- Last name of a minor person without determined affiliation. The person of minor age without a determined affiliation must be recorded by the officer of the Registry of Civil Status and Capacity of the Persons with the last name that he is using, or in his absence, with a common surname.

ARTICLE 66.- Special cases. A person of sufficient age and maturity who does not have an enrolled surname can request the registration of the one they are using.

ARTICLE 67.- Spouses. Either spouse may choose to use the surname of the other, with the preposition "of" or without it.

A person who is divorced or whose marriage has been declared void cannot use the surname of the other spouse, except that, for reasonable reasons, the judge authorizes him to keep it.

The widowed spouse may continue to use the surname of the other spouse as long as he or she does not remarry or constitute a cohabitation union.

ARTICLE 68.- Name of the adopted child. The name of the adopted child is governed by the provisions of Chapter 5, Title VI of the Second Book of this Code.

ARTICLE 69.- Change of name. The change of pre-name or last name only proceeds if there are just reasons at the discretion of the judge.

It is considered just reason, according to the particularities of the case, among others, to:

1. a) the pseudonym when it has acquired notoriety;
1. b) cultural, ethnic or religious roots;
1. c) the affectation of the personality of the person concerned, whatever their cause, provided that it is accredited.

They are considered just reasons and do not require judicial intervention, the change of prenomens by reason of gender identity and the change of pre-name and surname for having been the victim of enforced disappearance, illegal appropriation or alteration or suppression of marital status or identity.

ARTICLE 70.- Process. All changes of pre-name or surname must be processed by the most abbreviated process provided by local law, with the intervention of the Public Ministry. The order must be published

in the official newspaper once a month, within two months. An opposition can be formulated within fifteen business days from the last publication. Information about existing precautionary measures should be required regarding the interested party. The ruling is enforceable against third parties from its registration in the Registry of Civil Status and Capacity of Persons. All items, titles and registry entries that are necessary must be rectified.

ARTICLE 71.- Actions to protect the name. You can exercise actions in defense of your name:

1. a) the one to whom the use of his name is unknown so that he may be recognized and any future challenge denied by the person who denies it; the publication of the judgment must be ordered at the expense of the defendant;
1. b) that whose name is unduly used by another, so that it ceases in that use;
1. c) that whose name is used for the designation of fantasy things or characters if this causes material or moral damage so that the use ceases.

In all cases, damages can be demanded and the judge can order the publication of the sentence. The actions can be exercised exclusively by the interested party; if he has died, by his descendants, spouse or partner, and in the absence of these, by the ascendants or siblings

ARTICLE 72.- Pseudonym. The notorious pseudonym enjoys the protection of the name.

CHAPTER 5

Home

ARTICLE 73.- Royal domicile. The human person has a real domicile in the place of his habitual residence. If you exercise professional or economic activity you have it in the place where you perform it for the fulfillment of the obligations arising from this activity.

ARTICLE 74.- Legal domicile. The legal address is the place where the law presumes, without admitting proof against, that a person resides permanently for the exercise of their rights and the fulfillment of their obligations. Only the law can establish it, and without prejudice to the provisions of special rules:

1. a) public officials, have their domicile in the place where they must perform their functions, not being temporary, periodic, or simple commission;
1. b) the military in active service have their domicile in the place where they are providing it;
1. c) passers-by or ambulant people, such as those who do not have a known address, have it in the place of their current residence;
1. d) the incompetent people have it in the domicile of their representatives.

ARTICLE 75.- Special domicile. The parties to a contract can choose an address for the exercise of the rights and obligations that emanate from it.

ARTICLE 76.- Domicile ignored. The person whose address is not known has it in the place where it is located; and if this is also ignored at the last known address.

ARTICLE 77.- Change of address. The address can be changed from one place to another. This power cannot be restricted by contract, nor by provision of last will. The change of address is instantly verified by moving the residence from one place to another with the intention of staying in it.

ARTICLE 78.- Effect. The domicile determines the competence of the authorities in legal relationships. The election of an address produces the extension of the competition.

CHAPTER 6

Absence

ARTICLE 79.- Simple absence. If a person has disappeared from his home, without having news of it, and without having left proxy, a curator can be appointed to his property if the care of the latter demands it. The same rule should be applied if there is a proxy, but its powers are insufficient or does not adequately perform the mandate.

ARTICLE 80.- Legitimized. They can request the declaration of absence, the Public Prosecutor's Office and any person who has a legitimate interest regarding the assets of the absentee

ARTICLE 81.- Competent judge. The judge of the domicile of the absentee is competent. If he did not have it in the country, or is not known, the judge of the place where there are assets whose care is necessary is competent; If there are assets in different jurisdictions, the one that has prevented.

ARTICLE 82.- Procedure. The alleged absentee must be summoned by edicts for five days, and if the deadline does not appear, intervention must be given to the official defender or, failing that, appoint a defender to the absentee. The Public Ministry is a necessary part of the trial.

If before the declaration of absence actions are promoted against the absentee, the defender must represent him.

In case of urgency, the judge can appoint a provisional administrator or adopt the measures that the circumstances advise.

ARTICLE 83.- Judgment. Heard the defender, if the legal extremes concur, you must declare the absence and appoint curator. For the designation must be as planned for the discernment of curatorship.

The curator can only perform the acts of conservation and ordinary administration of the goods. Any act that exceeds the ordinary administration must be authorized by the judge; the authorization must be granted only in case of obvious and unpostponable need.

The fruits of the administered goods must be used for the support of the descendants, spouse, partner, and ascendants of the absentee.

ARTICLE 84.- Conclusion of the curatorship. The conservatorship of the absentee finishes by:

1. a) the presentation of the absentee, personally or by proxy;
1. b) his death;
1. c) his alleged death judicially declared.

CHAPTER 7

Presumption of death

ARTICLE 85.- Ordinary case. The absence of a person from his home without any news of it for a term of three years causes the presumption of his death even if he has left the proxy.

The term must be counted from the date of the last news of the absentee.

ARTICLE 86.- Extraordinary cases. The death of an absentee is also presumed:

1. a) if it was found for the last time in the place of a fire, earthquake, war action or other similar event, capable of causing death, or participated in an activity that implies the same risk, and is not known of by the term of two years, counted from the day on which the event occurred or could have occurred;
1. b) if found in a ship or aircraft that was shipwrecked or lost, there was no notice of its existence for a period of six months from the date on which the event occurred or could have occurred.

ARTICLE 87.- Legitimados. Anyone who has any right subordinate to the death of the person in question can request the declaration of presumed death, justifying the legal points and the performance of proceedings leading to the investigation of the existence of the absentee.

The judge of the domicile of the absentee is competent.

ARTICLE 88.- Procedure. Curator to the goods. The judge must appoint an advocate to the absentee or give intervention to the official defender, and cite the defender by edicts once a month for six months.

He must also appoint a curator to his assets, if there is no agent with sufficient powers, or if for any reason he does not perform the mandate correctly.

The declaration of simple absence does not constitute a necessary budget for the declaration of presumed death, nor does it replace the verification of the steps taken to know the existence of the absentee.

ARTICLE 89.- Declaration of the presumed death. After six months received the proof and heard the defense, the judge must declare the presumed death if the legal points are accredited, set the presumptive day of death and order the registration of the sentence.

CHAPTER 8

END OF EXISTENCE OF PEOPLE

CHAPTER 8

End of the existence of people

ARTICLE 93.- General principle. The existence of the human person ends with his death.

ARTICLE 94.- Proof of death. The verification of death is subject to accepted medical standards, applying the special legislation in the case of removal of corpse organs.

ARTICLE 95.- Conmorency. It is presumed that people who perished in a common disaster or in any other circumstance die at the same time if it can not be determined otherwise.

CHAPTER 9

Proof of birth, death, and age

ARTICLE 96.- Means of proof. The birth occurred in the Republic, its circumstances of time and place, Viagra sex, name, and affiliation of the people born, is tested with the items of the Civil Registry. In the same way, the death of the deceased in the Republic is proved.

The rectification of the items is done in accordance with the provisions of the special legislation.

ARTICLE 97.- Birth or death occurred abroad. The birth or death occurred abroad is tested with the instruments granted according to the laws of the place where they are produced, legalized or authenticated in the manner provided by international conventions, and in the absence of conventions, by the consular provisions of the Republic.

Paragraph 2

Discernment of the guardianship

ARTICLE 112.- Judicial Discernment. Competition. The guardianship is always judicially discerned. For the discernment of the guardianship, the judge of the place where the child or adolescent has his center of life is competent.

ARTICLE 113.- Hearing with the minor. For the discernment of the guardianship, and for any other decision regarding the minor, the judge must:

1. a) to previously hear the child or adolescent;
1. b) take into account their manifestations according to their age and maturity;
1. c) decide based primarily on their best interests.

ARTICLE 114.- Acts prior to the discernment of the guardianship. The acts of the tutor prior to the discernment of the guardianship are confirmed by the appointment, if it is not treated, for the child or adolescent.

ARTICLE 115.- Inventory and appraisal. Discerning the guardianship, the assets of the ward must be delivered to the guardian, the inventory of the inventory and the appraisal made by the judge.

If the guardian has a credit against the person subject to guardianship, it must be included in the inventory; if he does not, he can not claim it later, except that omitting it has ignored his existence. Until the inventory is taken, the tutor can only take the measures that are urgent and necessary.

The goods that the child, the girl or the adolescent, for example, the succession or other titles should be inventoried and the people in the same way.

ARTICLE 116.- Accountability. If the tutor happens to one of the parents or to another previous tutor, he must immediately ask the replaced or his heirs, judicial surrender of accounts and delivery of the assets of the ward.

Paragraph 3

Exercise of guardianship

ARTICLE 117.- Exercise. The person exercising the guardianship is the legal representative of the child or adolescent in all matters of a patrimonial nature, without prejudice to his / her personal performance in the exercise of his right to be heard and the progressive recognition of his / her capacity granted by law or authorized by the judge.

ARTICLE 118.- Responsibility. The guardian is responsible for the damage caused to the guardian through his fault, by action or omission, in the exercise or on the occasion of his duties. The ward, any of his relatives, or the Public Prosecutor's Office can request judicially the necessary measures to remedy it, without prejudice to their being adopted ex officio.

ARTICLE 119.- Education and food. The judge must set the sums required for the education and food of the child or adolescent, pondering the amount of their assets and the income they produce, without prejudice to their adequacy according to the circumstances.

If the resources of the person subject to guardianship are not sufficient to attend to their care and education, the guardian may, with judicial authorization, demand food from those obliged to provide them.

ARTICLE 120.- Prohibited acts. The one who exercises the guardianship can not, even with judicial authorization, celebrate with his guardianship the acts prohibited to the parents with respect to their minor children.

Before judicial approval of the final account, the tutor can not enter into any contract with the pupil, even if the disability has ceased.

ARTICLE 121.- Acts requiring judicial authorization. In addition to the acts for which the parents need judicial authorization, the tutor must request it for the following:

1. a) acquire real estate or any property that is not used to satisfy the food requirements of the ward;
1. b) lend money from your ward. The authorization should only be granted if there are sufficient security rights;
1. c) give the property of the guardianship in lease or conclude contracts with an analogous purpose for a period exceeding three years. In all cases, these contracts conclude when the guardian reaches the age of majority;
1. d) take on lease real estate other than the house;
1. e) contract debts, repudiate inheritances or donations, make transactions and remit credits even if the debtor is insolvent;
1. f) make extraordinary expenses that are not for repair or conservation of the goods;
1. g) perform all those acts in which the relatives of the tutor within the fourth degree or second of affinity, or their partners or close friends are directly or indirectly interested

ARTICLE 122.- Real rights over the property of the ward. The judge may authorize the transmission, constitution or modification of real rights over the property of the child or adolescent only if it is evidently evident.

Goods that have emotional or cultural value can only be sold in case of absolute necessity.

ARTICLE 123.- Form of the sale. The sale must be made by public auction, except in the case of furniture of scarce value, or if, in the judgment of the judge, the extrajudicial sale may be more convenient and the price offered is higher than that of the appraisal.

ARTICLE 124.- Money. After the expenses of the guardianship have been covered, the tutelary money must be placed at interest in banks of recognized solvency, or invested in public securities, in their name and at the order of the judge with reference to the cars to which they belong. The guardian can not withdraw funds, securities or securities without judicial authorization.

ARTICLE 125.- Trust and other safe investments. The judge may also authorize the property to be transferred in trust to an entity authorized to offer itself publicly as a fiduciary, provided that the

beneficiary is the beneficiary. Likewise, you can arrange other types of safe investments, after obtaining a technical opinion.

ARTICLE 126.- Society. If the guardian has a share in a society, the guardian is entitled to exercise the rights that correspond to the partner to whom the guardian has succeeded. If you have to choose between the continuation and the dissolution of the company, the judge must decide upon the tutor's report.

ARTICLE 127.- Goodwill. If the ward is the owner of a goodwill, the guardian is authorized to perform all acts of ordinary administration proper to the establishment. The acts that exceed that one, must be authorized judicially

If the continuation of the exploitation is harmful, the judge must authorize the cessation of the business empowering the guardian to alienate it, after appraisal, in public auction or private sale, as it is more convenient. While not sold, the tutor is authorized to proceed as best suits the interests of the guardian.

ARTICLE 128.- Remuneration of the tutor. The guardian has the right to the retribution that is set judicially taking into account the importance of the assets of the ward and the work that has demanded his administration in each period. In case of guardianship exercised by two people, the remuneration must be unique and distributed among them according to judicial criteria. The single compensation cannot exceed one-tenth of the liquid fruits of the minor's assets.

The guardian who exercises guardianship functions is also entitled to retribution.

The fruits pending at the beginning of the guardianship and its completion must be computed for the purpose of remuneration, insofar as the management has been useful for its perception.

ARTICLE 129.- Cessation of the right to retribution. The tutor is not entitled to retribution:

1. a) if appointed by a testator, he has left some legacy that can be estimated remunerative of his management. You can choose to renounce the legacy or return it, receiving the legal compensation
1. b) if the ward's income is insufficient to meet the expenses of their food and education;
1. c) if he was removed from the guardianship for reasons attributable to his fault or intent, in which case he must also return what he has received, without prejudice to the responsibilities for the damage caused;
1. d) if he marries the ward without due judicial dispensation.

paragraph 3

Dissolution. Settlement

ARTICLE 163.- Causes. The legal entity is dissolved by:

1. a) the decision of its members adopted unanimously or by the majority established by the statute or special provision;
1. b) the fulfillment of the resolutive condition to which the constitutive act subordinated its existence;
1. c) the achievement of the object for which the legal entity was formed, or the surviving impossibility of fulfilling it;
1. d) the expiration of the term;
1. e) the declaration of bankruptcy; the dissolution is without effect if the bankruptcy concludes by agreement or the conversion of the proceeding is ordered in reorganization, or if the special law provides for a different regime;
1. f) the merger with respect to the legal entities that merge or the person or legal entities whose assets are absorbed; and the split with respect to the legal entity that divides and allocates all its assets;
1. g) the reduction to one of the number of members, if the special law requires plurality of them and this is not restored within three months;

1. h) the firm denial or revocation of the state authorization to operate, when this is required;
1. i) the exhaustion of the assets destined to sustain it;
1. j) any other cause provided for in the statute or in other provisions of this Title or special law.

ARTICLE 164.- Revocation of the state authorization. The revocation of the state authorization must be based on the commission of serious acts that involve the violation of the law, the statute and the regulations.

The revocation must be provided by reasoned resolution and in accordance with a regulated procedure that guarantees the right of defense of the legal entity. The decision is appealable, and the judge may order the provisional suspension of its effects.

ARTICLE 165.- Prorogation. The determined term of duration of the legal entities can be extended. Is required:

ARTICLE 164.- Revocation of the state authorization. The revocation of the state authorization must be based on the commission of serious acts that involve the violation of the law, the statute and the regulations.

The revocation must be provided by reasoned resolution and in accordance with a regulated procedure that guarantees the right of defense of the legal entity. The decision is appealable, and the judge may order the provisional suspension of its effects.

ARTICLE 165.- Prorogation. The determined term of duration of the legal entities can be extended. Is required:

1. a) decision of its members, adopted in accordance with the legal or statutory provisions;
1. b) presentation before the corresponding comptroller's authority, before the expiration of the term.

ARTICLE 166.- Reconductio. The juridical person can be reconducted while its liquidation has not concluded, by decision of its members adopted unanimously or the majority required by law or by the statute, provided that the cause of its dissolution can be removed by decision of the members or by virtue of the law.

ARTICLE 167.- Liquidation and responsibilities. Once the term has expired, the dissolution has been resolved or another cause has occurred and, if applicable, declared by the members, the legal entity can not carry out operations, and in its settlement must conclude the pending.

The liquidation consists in the fulfillment of the pending obligations with the assets of the asset of the legal entity's property or its produced in money. Upon payment of the settlement expenses and tax obligations, the remainder, if any, is delivered to its members or third parties, as established by the statute or as required by law.

In the event of infringement, their administrators and those members who, knowing or having known the situation and having the power of decision necessary to terminate it, fail to take the necessary measures to that effect, are unlimited and jointly and severally liable.

EPISODE 2

Civil associations

SECTION 1

Civil associations

ARTICLE 168.- Object. The civil association must have an object that is not contrary to the general interest or the common good. The general interest is interpreted with respect to the different identities, beliefs and traditions, be they cultural, religious, artistic, literary, social, political or ethnic that do not violate the constitutional values.

It can not pursue profit as a main purpose, nor can it have profit for its members or third parties.

ARTICLE 169.- Form of the constitutive act. The constitutive act of the civil association must be granted by public instrument and be registered in the corresponding registry once the state authorization to operate is granted. Until enrolment the rules of the simple association apply.

ARTICLE 170.- Content. The constitutive act must contain:

1. a) the identification of the constituents;
1. b) the name of the association with the "Civil Association" attachment added or postponed;
1. c) the object;
1. d) the registered office;
1. e) the term of duration or if the association is in perpetuity;
1. f) the causes of dissolution;
1. g) the contributions that make up the initial assets of the civil association and the value assigned to them. The contributions are considered transferred in ownership, if their contribution of use and enjoyment is not expressly stated;
1. h) the administration and representation regime;
1. i) the closing date of the annual financial year;
1. j) where applicable, the classes or categories of associates, and the prerogatives and duties of each;
1. k) the regime of admission, admission, resignation, disciplinary sanctions, exclusion of associates and appeals against decisions;
1. l) the social organs of government, administration and representation. The executive committee, the assemblies and the internal control body must be foreseen, regulating their composition, integration requirements, duration of their members, competences, functions, attributions and functioning in terms of convocation, constitution, deliberation, decisions and documentation;
1. m) the liquidation procedure;
1. n) the destination of the assets after the liquidation, being able to attribute them to an entity of common good, public or private, that is not for profit and that is domiciled in the Republic

ARTICLE 171.- Administrators. The members of the board of directors must be associated. The right of associates to participate in the executive committee can not be restricted abusively. The statute must provide for the following charges and, without prejudice to the collegiate action in the body, define the functions of each of them: president, secretary and treasurer. The other members of the board of directors have the character of members. For the purposes of this Section, all directors of the executive committee are called directors. In the constitutive act, the members of the first directive commission must be appointed.

ARTICLE 172.- Inspection. The statute may provide that the designation of the members of the control body fall on non-associated persons. The constituent act must be consigned to the members of the first oversight body.

The private inspection of the association is in charge of one or more account reviewers. The account review committee is mandatory in associations with more than one hundred associates.

ARTICLE 173.- Members of the oversight body. The members of the oversight body can not be members of the committee at the same time, nor can they be certifiers of the association's financial statements. These incompatibilities extend to spouses, cohabitants, relatives, even by affinity, in a straight line in all grades, and collaterals within the fourth grade.

In civil associations that establish the need for a specific profession or trade to acquire the status of a member, the members of the oversight body do not necessarily have to have an enabling title. In such cases, the supervisory committee must hire independent professionals for their advice.

ARTICLE 174.- State Comptroller. Civil associations require authorization to operate and are subject to permanent control of the competent authority, national or local, as appropriate.

ARTICLE 175.- Participation in government acts. The statute may impose conditions for associates to participate in government acts, such as seniority or payment of social fees. The clause that imposes a total restriction on the exercise of the associate's rights is of no value.

ARTICLE 176.- Cessation in office. The directors cease in their charges for death, declaration of incapacity or restricted capacity, disqualification, expiration of the period for which they were appointed, resignation, removal and any other cause established in the statute.

The statute can not restrict removal or resignation; the clause to the contrary is of no value. However, the resignation can not affect the operation of the executive committee or the execution of acts previously resolved by it, cases in which it must be rejected and the renouncer remain in office until the ordinary meeting is pronounced. If such circumstances do not occur, the resignation communicated in writing to the chairman of the board of directors or to whom it statutorily replaces him or to any of the directors, is considered accepted if it is not expressly rejected within ten days from receipt.

ARTICLE 177.- Termination of liability. The responsibility of the directors is extinguished by the approval of their management, by resignation or transaction resolved by the ordinary meeting
It is not extinguished:

1. a) if the responsibility derives from the infringement of peremptory norms;
1. b) if in the assembly there was express and founded opposition of associates with the right to vote in an amount not less than ten percent of the total. In this case, those who opposed it can exercise the social action of responsibility foreseen for the companies in the special law.

ARTICLE 178.- Participation in the assemblies. The payment of fees and contributions corresponding to the previous month is necessary to participate in the assemblies. In no case can the participation of the associate who purges the default in advance of the start of the meeting be prevented.

ARTICLE 179.- Renunciation. The right to waive the status of associate can not be limited. The renouncer must in all cases the fees and contributions accrued up to the date of notification of his resignation.

ARTICLE 180.- Exclusion. Associates can only be excluded for serious reasons provided in the statute. The procedure must ensure the right of defense of the affected. If the decision of exclusion is adopted by the board of directors, the associate has the right to review by the assembly that must be convened in the shortest legal or statutory term possible. Failure to comply with these requirements compromises the responsibility of the board of directors.

ARTICLE 181.- Responsibility. The associates do not respond directly or subsidiary for the debts of the civil association. Their responsibility is limited to the fulfillment of the contributions committed to the constitution or later and to the contributions and contributions to which they are bound.

ARTICLE 182.- Intransmissibility. The quality of associate is intransmissible-

ARTICLE 183.- Dissolution. Civil associations are dissolved by the general causes of dissolution of private legal persons and also by the reduction of their number of associates to a number lower than the total number of regular and alternate members of its board of directors and oversight body, if within the six months that minimum is not restored.

ARTICLE 184.- Liquidator. The liquidator must be appointed by the extraordinary assembly and in accordance with the provisions of the statute, except in special cases in which the judicial appointment or the control authority comes. More than one can be designated, establishing their joint action or as a collegiate body.

The dissolution and appointment of the liquidator must be registered and published.

ARTICLE 185.- Liquidation procedure. The liquidation procedure is governed by the provisions of the statute and is carried out under the supervision of the supervisory body.

Whatever the cause of dissolution, the assets resulting from the liquidation are not distributed among the associates. In all cases, the destination stipulated in the statute must be given and, in the absence of foresight, the remainder must be destined to another civil association domiciled in the Republic of an object equal or similar to the liquidated one.

ARTICLE 186.- Supplementary norms. The provisions on companies are supplemented, as pertinent.

SECTION 2

Simple associations

ARTICLE 187.- Form of the constitutive act. The act constituting the simple association must be granted by a public instrument or by a private instrument with a signature certified by a notary public. To the name must be added, prefixed or postponed, the addition "simple association" or "simple association".

ARTICLE 188.- Applicable law. Forwarding The simple associations are governed in terms of their constitutive act, government, administration, partners, inspection body and operation by the provisions for civil associations and the special provisions of this Chapter.

ARTICLE 189.- Existence. The simple association begins its existence as a legal entity as of the date of the constitutive act.

ARTICLE 190.- Non-compliance of inspection body. The simple associations with less than twenty associates can do without the control body; the obligation to certify their financial statements remains. If the oversight body is disregarded, every member, even if excluded from management, has the right to inquire about the status of the issues and to consult their books and records. The clause to the contrary is considered not written.

ARTICLE 191.- Insolvency. In case of insufficiency of the assets of the simple association, the administrator and any member who actually manages the affairs of the association is jointly and severally liable for the obligations of the simple association that result from decisions that have subscribed during its administration.

The personal assets of each of these persons can not be affected by the payment of the debts of the association, but after having satisfied their individual creditors.

ARTICLE 192.- Responsibility of the members. The founder or associate who did not intervene in the administration of the simple association is not bound by the debts of the association, but until the concurrence of the promised contribution or the unpaid installments.

CHAPTER 3

Foundations

SECTION 1

Concept, object, mode of incorporation and patrimony

ARTICLE 193.- Concept. The foundations are legal persons that are established for the common good, without profit, through the patrimonial contribution of one or more people, destined to make their ends possible.

In order to exist as such, they necessarily require a public instrument and request and obtain authorization from the State to operate.

If the founder is a human person, he can arrange his constitution by act of last will.

ARTICLE 194.- Initial patrimony. An initial patrimony that reasonably enables the fulfillment of the statutorily proposed purposes is an indispensable requirement to obtain the state authorization. For these purposes, in addition to the goods effectively donated in the constitutive act, those arising from commitments of future integration contributions, contracted by the founders or third parties, are taken into account.

Notwithstanding the foregoing, the comptroller's authority may favorably resolve the requests for authorization if the background of the founders or the servants of the founding will committed by the entity to be created, and in addition to the characteristics of the program to be developed, results in the potential aptitude for the fulfillment of the objectives foreseen in the statutes

SECTION 2

Constitution and authorization

ARTICLE 195.- Constitutive act. Statute. The constitutive act of the foundation must be granted by the founders or empowered with special power, if it is done by inter vivos act; or by the authorized by the judge of the estate, if it is by provision of last will.

The instrument must be submitted to the controlling authority for approval, and contain:

1. a) the following data of the founder (s):
 1. i) in the case of human persons, their name, age, marital status, nationality, profession, address and identity document number and, where appropriate, that of the attorneys or authorized persons;

1. ii) in the case of legal persons, the corporate name or denomination and the address, proving the existence of the founding entity, its registration and the representation of those who appear for it; In any case, when the mandate is invoked, the document accrediting it must be recorded;
1. b) name and address of the foundation;
1. c) designation of the object, which must be precise and determined;
1. d) initial equity, integration and future resources, which must be expressed in national currency;
1. e) term of duration;
1. f) organization of the board of directors, duration of the positions, regime of meetings and procedure for the appointment of its members;
1. g) clauses related to the operation of the entity;
1. h) procedure and regime for the reform of the statute;
1. i) date of the closing of the annual exercise;
1. j) dissolution and procedure clauses related to the liquidation and destination of the assets;
1. k) three-year plan of action.

In the same instrument, the members of the first board of directors and the persons authorized to manage the authorization to operate must be appointed.

ARTICLE 196.- Contributions. The cash or securities that comprise the initial assets must be deposited during the authorization process in the bank authorized by the controlling authority of the jurisdiction in which the foundation is constituted. The non-monetary contributions must be included in an inventory with their respective valuations, signed by a national public accountant.

ARTICLE 197.- Donation pledges. The donation pledges made by the founders in the constitutive act are irrevocable as of the resolution of the controlling authority that authorizes the entity to function as a juridical person. If the founder dies after signing the constitutive act, the promises of donation can not be revoked by his heirs, from the presentation to the controlling authority requesting authorization to function as a legal entity.

ARTICLE 198.- Fulfillment of the promises. The constituted foundation has all the legal actions to demand for the fulfillment of the promises of donation made in its favor by the founder or by third parties, not being opposable to the defense linked to the revocation made before the acceptance, nor the one relating to the object of the donation if it constitutes all the patrimony of the donor or an undivided part of it, or if the donor did not have the ownership of the commitment.

ARTICLE 199.- Plans of action. With the request for granting legal status, the plans that the entity plans to execute in the first triennium must be accompanied, with precise indication of the nature, characteristics and development of the activities necessary for its fulfillment, as well as the budgetary bases for its realization. Once the term has expired, the inherent to the subsequent triennium must be proposed, with the same requirements.

ARTICLE 200.- Responsibility of the founders and administrators during the gestation stage. The founders and administrators of the foundation are jointly and severally liable vis-à-vis third parties for the obligations contracted up to the moment in which the authorization to operate is obtained. The personal assets of each one of them can be affected to the payment of those debts only after having been satisfied their individual creditors have been satisfied.

ARTICLE 201.- Board of Directors. The government and administration of foundations is in charge of a board of directors, made up of a minimum of three human persons. It has all the necessary powers to fulfill the purpose of the foundation, within the conditions established by the statute. ARTICLE 202.-

Right of the founders. The founders may reserve by express provision of the statute the power to occupy positions on the board of directors, as well as to appoint the directors when the term of appointment or the vacancy of any of them occurs. ARTICLE 203.- Appointment of directors. The

designation of the members of the board of directors may also be conferred on public institutions and

private non-profit entities. ARTICLE 204.- Character of the directors. The members of the board of directors can be permanent or temporary. The statute can establish that certain decisions always require the favorable vote of the former, as well as the appointment of the latter. ARTICLE 205.- Executive committee. The statute may provide for the delegation of powers of administration and government in favor of an executive committee made up of members of the board of directors or by third parties, which must exercise its functions between the board meeting periods, and with accountability to it. . It may also delegate executive powers to one or more human persons, whether or not they are members of the board of directors. According to the entity of the tasks entrusted, the statute may provide for some form of pecuniary remuneration in favor of the members of the executive committee. ARTICLE 206.- Honorary nature of the position. The members of the board of directors cannot receive remuneration for the exercise of their position, except for the reimbursement of expenses, being their role honorary. ARTICLE 207.- Meetings, calls, majorities, decisions and minutes. The statute must provide for the regime of ordinary and extraordinary meetings of the board of directors, and where appropriate, of the executive committee if it is multi-person, as well as the calling procedure. The quorum must be that of half plus one of its members. A record of the deliberations of the aforementioned entities must be drawn up in a special book, summarizing the results of each call with all the most relevant details of what has been done. Decisions are made by absolute majority of votes of the members present, except that the law or the statute require qualified majorities. In the event of a tie, the chairman of the board of directors or the executive committee has a double vote. ARTICLE 208.- Special quorum. The majorities established in article 207 are not required for the appointment of new members of the board of directors when their attendance has become impossible. ARTICLE 209.- Removal of the board of directors. The members of the board of directors may be removed with the vote of at least two thirds of the members of the body. The statute may provide for the automatic expiration of mandates for unexcused and repeated absences from council meetings. ARTICLE 210.- Acefalía of the board of directors. When there are vacant positions on the board of directors to such an extent that its operation becomes impossible, and the appointment of new members under the statute cannot take place, or they refuse to accept the positions, the comptroller authority must proceed to reorganize the administration of the foundation, to designate its new authorities, and to modify the statute in the pertinent parts. ARTICLE 211.- Rights and obligations of the members of the board of directors. The members of the board of directors are governed, with respect to their rights and obligations, by law, by the regulations in force, by the statutes, and, subsidiarily, by the rules of the mandate. In case of violation on your part of legal, regulatory or statutory norms, they are liable to action for liability that can be promoted by both the foundation and the comptroller authority, without prejudice to administrative sanctions and the measures that the latter may adopt regarding the foundation and the members of the council. ARTICLE 212.- Contract with the founder or his heirs. All contracts between the foundation and the founders or their heirs, with the exception of the donations they make to it, must be submitted to the approval of the comptroller authority, and is ineffective in its own right without that approval. This rule applies to any resolution of the board of directors that directly or indirectly originates in favor of the founder or his heirs a benefit that is not provided for in the statute. ARTICLE 213.- Destination of the income. Foundations must allocate most of their income to the fulfillment of their purposes. The accumulation of funds should be carried out only for specific purposes, such as the formation of sufficient capital to carry out larger future programs, always related to the statutory purpose. In these cases, the comptroller authority must be informed, clearly and concretely, about those objectives sought and the material feasibility of their fulfillment. Similarly, foundations

must immediately report to the controlling authority the realization of expenses that involve an appreciable decrease in their assets. SECTION 4 Information and comptroller ARTICLE 214.- Duty of information. Foundations must provide the supervisory authority in their jurisdiction with all the information that it requires. ARTICLE 215.- Collaboration of official departments. The official departments must supply directly to the supervisory authority the information and advice that it requires for a better appreciation of the programs planned by the foundations. SECTION 5 Statute reform and dissolution ARTICLE 216.- Necessary majority. Change of object. Except to the contrary provision of the statute, the reforms require at least the favorable vote of the absolute majority of the members of the board of directors and of two thirds in the cases of modification of the object, merger with similar entities and dissolution. The modification of the object is only appropriate when the established by the founder has become impossible to fulfill. ARTICLE 217.- Destination of the goods. In the event of dissolution, the remainder of the assets must be destined to a public entity or to a private legal entity whose object is of public utility or common good, that is not for profit and that is domiciled in the Republic. This provision does not apply to foreign foundations. The decisions that are adopted regarding the transfer of the remainder of the assets require the prior approval of the comptroller authority. ARTICLE 218.- Revocation of donations. The reform of the statute or the dissolution and transfer of the assets of the foundation, motivated by changes in the circumstances that have rendered impossible the fulfillment of its object as provided at the time of the creation of the entity and the granting of its legal status, does not give rise to the action of revocation of donations by donors or their heirs, unless the change of object has been expressly established in the act of holding such donations. SECTION 6 Foundations created by testamentary provision ARTICLE 219.- Intervention of the Public Ministry. If the testator has assets destined for the creation of a foundation, it is incumbent on the Public Ministry to ensure the effectiveness of its purpose, in a cooperative manner with the heirs and the testamentary executor, if any. ARTICLE 220.- Powers of the judge. If the heirs do not agree with each other or with the executor in the drafting of the statute and the articles of incorporation, the differences are resolved by the succession judge, after hearing the Public Ministry and the comptroller authority. SECTION 7 Controller authority ARTICLE 221.- Powers. The comptroller authority approves the statutes of the foundation and its reform; it supervises its operation and compliance with the legal and statutory provisions to which it is subject, including the dissolution and liquidation. ARTICLE 222.- Other faculties. In addition to the powers indicated in other provisions of this Code, it corresponds to the controlling authority: a) request from the judicial authorities the appointment of interim administrators of foundations when the vacancies of their governing bodies are not filled to the detriment of the normal development of the entity or when they temporarily lack such bodies; b) suspend, in case of urgency, compliance with deliberations or resolutions contrary to laws or statutes, and request the judicial authorities to nullify these acts; c) request the authorities to suspend or remove administrators who have violated the duties of their office, and the appointment of provisional administrators; d) convene the board of directors at the request of one of its members, or when serious irregularities are found to exist. ARTICLE 223.- Change of object, merger and coordination of activities. It also corresponds to the controlling authority: a) fix the new object of the foundation when the one established by the founder or founders is impossible to fulfill or has disappeared, trying to respect as much as possible their will. In such case, it has the necessary powers to modify the statutes in accordance with that change; b) to order the merger or coordination of activities of two or more foundations when the circumstances indicated in subparagraph a) of this article occur, or when the multiplicity of foundations with an analogous object make the measure advisable for its best development and the greater public benefit.

ARTICLE 224.- Resources. Administrative decisions that deny the authorization for the constitution of the foundation or withdraw the agreed legal status can be appealed judicially in cases of illegitimacy and arbitrariness. The same recourse applies if it is a foreign foundation and the approval required by it is denied or, having been granted, it is later revoked. The appeal must be substantiated in accordance with the shortest procedure in force in the corresponding jurisdiction, before the court of appeal with jurisdiction in civil matters, corresponding to the domicile of the foundation. The organs of the foundation can deduce the same recourse against the resolutions issued by the controlling authority in the situation provided for in subsection b) of article 223.