

OFFICIAL TRANSLATION

LAW N° 27752

LAW AMENDING ARTICLE 82° OF
THE CODE OF CIVIL PROCEDURE ABOUT
SPONSORSHIP OF DIFFUSE INTERESTS

Nº 3495-07

Page 224306

"El Peruano"

Legal Regulations

Lima, June 8, 2002

(...)

LAW Nº 27752

PRESIDENT OF THE REPUBLIC

WHEREAS

THE CONGRESS OF THE REPUBLIC has passed the following law:

**LAW AMENDING ARTICLE 82° OF
THE CODE OF CIVIL PROCEDURE ABOUT
SPONSORSHIP OF DIFFUSE INTERESTS**

Article 1°.- It amends Article 82° of the Code of Civil Procedure.

Be amended Article 82° of the Code of Civil Procedure as follows:

"Article 82°.- Sponsorship of diffuse interests.- A diffuse interest is that, which ownership corresponds to an undetermined group of people regarding assets of inestimable value such as the environment, the cultural or historical heritage, or the consumer's assets.

The Government Attorney General's Office, the Regional and Local Governments and the Rural and/or Native Communities, in which jurisdiction a damage to the environment or the cultural heritage was caused, and non-profit associations or institutions legitimated according to the law or the Judge's opinion, made by resolution duly grounded, can promote or take part in this process.

The Rural Patrols, who prove legal capacity, have the same right than the Rural or Native Communities, where these do not exist or have not appeared before trial.

If processes related to the defense of the environment or cultural assets or valuables are promoted without the intervention of the above-mentioned Local Governments; the Judge must include them in capacity of required joint litigants in compliance with Articles 93° to 95°.

In these cases, a synthesis of the claim shall be published in "El Peruano" Official Gazette and other, where the judicial notices of the corresponding judicial district are published. The regulations about subjective accumulation of claims are applied to the processes about diffuse interests where they may be relevant.

If the sentence is not appealed, this shall be passed for consultation to the Court of Appeals. The final judgment, which declares the claim founded, shall be binding also to the people who have not participated in the process.

The indemnity established in the sentence must be given to the District or Provincial Councils, which might have taken part in the process, in order to use it for repairing the damage caused or the environment conservation of its circumscription."

Article 2°.- Be annulled legal provisions.

Be annulled all the legal provisions against this law.

Let it be notified to the President of the Republic to be enacted.

Lima, this 21st day of May, 2002

Carlos FERRERO
President of the Congress of the Republic

Henry PEASE GARCIA
First Vice-President, Congress of the Republic

TO THE CONSTITUTIONAL PRESIDENT OF THE REPUBLIC

THEREFORE:
Let it be published and enforced.

Given in the Government House, Lima, this 07th day of June, 2002

Alejandro TOLEDO
Constitutional President of the Republic

Fernando OLIVERA VEGA
Minister of Justice

10291
(...)

Round seal: *El Peruano* Official Gazette - Newspaper and Periodicals Library

“Year of the Citizens’ Duties” - The undersigned, Certifying Officer of *El Peruano* Official Gazette, does hereby certify that the foregoing is a true copy of the Legal Provision: Law N° 27752, page N° 224306, published on June 08, 2002, edition N.L.N: 8021 - Lima, December 11, 2007 - (seal and signature) Maria APAESTEGUI SILVA - Certifying Officer - *El Peruano* Official Gazette - “EDITORIA PERU”

MINISTRY OF FOREIGN AFFAIRS - OFFICE OF CONSULAR AFFAIRS - AUTHENTICATION N° 127364 - The preceding signature of Maria APAESTEGUI SILVA is hereby authenticated without judging the content of the document. - Lima, December 11, 2007 - (seal and signature) Julia Adela MOREANO DE DUEÑAS - Department of Authentications - Office of Consular Formalities - Round seal: Republic of Peru - Ministry of Foreign Affairs - Office of Consular Formalities - Authentications - (raised seal)
