

PANORAMIC

ANTI-MONEY LAUNDERING

Peru

LEXOLOGY

Anti-Money Laundering

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DOMESTIC LEGISLATION

Domestic law

Identify your jurisdiction's money laundering and anti-money laundering (AML) laws and regulations. Describe the main elements of these laws.

Our jurisdiction's money laundering and AML framework is composed of:

- Legislative Decree No. 1106, Effective Fight Against Money Laundering and Other Crimes Related to Illegal Mining and Organized Crime, enacted on 4 April 2012. This law establishes the legal frameworks and procedures for the investigation, prosecution and punishment of individuals and entities engaged in illicit activities, with a particular emphasis on preventing the integration of criminally derived funds into the legitimate financial system.
- Law No. 27693, enacted on 4 April 2002, and Law No. 29038, enacted on 12 June 2007, established the incorporation of the Financial Intelligence Unit (UIF) into the Superintendency of Banking, Insurance and Private Pension Fund Administrators. In essence, these laws established the UIF as an autonomous public entity with the primary responsibility of analysing, processing and transmitting information to prevent and detect money laundering and asset laundering. The UIF is a crucial part of the country's efforts against financial crimes, receiving and analysing suspicious transaction reports from various obligated entities and sharing this intelligence with relevant authorities for investigation and prosecution.
- Legislative Decree No. 1373, enacted on 4 August 2018, establishes an asset forfeiture regime. In brief, the Decree allows the state to recover assets that are proven to be of illicit origin or used in the commission of crimes, without the need for a prior criminal conviction. This is a significant distinction as it enables the state to seize assets linked to criminal activity (such as money laundering, drug trafficking or corruption) even if the individuals involved have not been criminally convicted. The law aims to hit criminal organisations where it hurts most – their finances – by depriving them of the proceeds and instruments of their illicit activities, thereby strengthening the fight against organised crime and corruption.
- Law No. 30424, enacted on 21 April 2016, established the scope of criminal liability for legal entities (companies and other organisations) for certain crimes, primarily related to corruption and bribes. In essence, this law means that a company can be held administratively responsible (facing fines, prohibitions, etc.) if its employees, managers or representatives commit specific offences, even if the company did not directly order them but failed to implement adequate prevention measures. The law has been amended to include other crimes such as money laundering, terrorism, tax offences, crimes against cultural heritage and customs offences. The main objective is to foster a culture of compliance and ethics within companies, incentivising them to implement 'prevention models' or 'compliance programmes' to mitigate the risks of these crimes being committed on their behalf or for their benefit.

Law stated - 8 September 2025

Investigatory powers

Describe any specific powers to identify proceeds of crime or to require an explanation as to the source of funds.

Peru has established a legal and regulatory framework to identify the proceeds of crime, particularly in relation to money laundering. These powers are primarily vested in the UIF, the Public Prosecutor's Office and judicial courts.

Here is a breakdown of the specific powers:

UIF-Peru – Law No. 27693 and its regulations

The UIF is responsible for receiving, analysing, processing, evaluating and transmitting information for the detection of money laundering and terrorist financing. It also assists obliged entities in implementing prevention systems to detect suspicious money laundering and terrorist financing transactions. The obligated entities (such as banks, financial institutions, real estate agencies, casinos, notaries and jewellers) are legally required to report any unusual, complex or suspicious transactions that could be linked to illicit activities to the UIF. Indeed, the UIF oversees the receipt and analysis of suspicious transaction reports.

Public Prosecutor's Office – Legislative Decree No. 1106 (Money Laundering Law) and Criminal Procedure Code

Prosecutors specialised in money laundering (the Specialized Prosecutor's Offices for Money Laundering) are empowered to initiate and lead investigations into money laundering offences. They do so based on UIF reports, complaints or on their own initiative.

Criminal courts

There are two types of courts: preparatory judges and criminal judges. Preparatory judges oversee and guarantee the rights of the parties during the investigation and criminal judges preside over and conduct the trial proceedings.

Forfeiture mechanism

Additionally, it is important to mention that our legislation has established a non-conviction based forfeiture mechanism called 'extinción de dominio'. This is a powerful civil-based action distinct from criminal prosecution. It allows for the forfeiture (extinction of ownership) of assets that are proven to be of illicit origin or used in criminal activities, even if there is no criminal conviction of the owner or perpetrator. The focus is on the illicit nature of the asset itself and is conducted by a specialised subsystem.

In this context, Peru's strategy to identify proceeds of crime combines a robust UIF that gathers and analyses suspicious financial data, strong investigative powers for prosecutors to trace and provisionally seize assets, and a powerful asset forfeiture mechanism, '**extinción de dominio**', that allows the state to permanently recover illicit assets without requiring a prior criminal conviction. These measures are designed to target the financial infrastructure of criminal organisations and deprive them of their ill-gotten gains.

Law stated - 8 September 2025

MONEY LAUNDERING

Criminal enforcement

Which government entities enforce your jurisdiction's money laundering laws?

In Peru, the enforcement of money laundering laws involves a multi-agency approach, with several government entities playing crucial roles in prevention, detection, investigation and prosecution. The main ones are as follows:

- **Financial Intelligence Unit of Peru (UIF-Perú):** this is the central body for receiving, analysing and disseminating financial intelligence related to money laundering (ML) and terrorist financing. It operates under the Superintendency of Banking, Insurance, and Private Pension Fund Administrators (SBS). Additionally, it receives suspicious transaction reports from a wide range of 'obligated entities' (financial institutions, real estate, casinos, notaries, etc).
- **Public Prosecutor's Office:** this is responsible for leading criminal investigations and prosecuting money laundering offences. Specialised prosecutors are empowered to initiate and conduct investigations. They can request judicial orders to lift bank secrecy, tax secrecy and telecommunications secrecy, as well as order provisional seizures of assets suspected of being the proceeds of crime. They work closely with the Peruvian National Police (PNP) and often collaborate with international counterparts.
- **Judiciary:** courts are responsible for adjudicating money laundering cases and applying the relevant laws. This includes issuing warrants, authorising investigative measures and ultimately deciding on convictions and penalties.
- **SBS:** beyond housing the UIF, the SBS is the primary prudential supervisor of financial institutions. It establishes and enforces anti-money laundering and counter-terrorist financing regulations for the entities it supervises.
- **PNP:** conducts police investigations under the direction of the public prosecutor's office. They are responsible for gathering evidence, arresting suspects and tracing assets. Specialised divisions within the PNP focus on financial crimes and organised crime, including money laundering.
- **National Superintendency of Tax and Customs Administration (SUNAT):** while primarily a tax and customs authority, SUNAT plays a role in identifying illicit financial flows through its oversight of import/export activities, tax evasion and cross-border cash declarations.
- **Multi-sectoral Executive Commission Against Money Laundering and Terrorist Financing (CONTRALAFI):** while not an enforcement body in the direct sense, CONTRALAFI plays a crucial coordinating and policy-setting role. Ascribed to the Ministry of Justice and Human Rights, its main function is to monitor the implementation, enforcement and updating of the National Plan against Money Laundering and Terrorist Financing. It brings together representatives from various key institutions.

These entities work in a coordinated manner, sharing information and collaborating to effectively prevent, detect, investigate and prosecute money laundering activities in Peru.

Law stated - 8 September 2025

Defendants

Can both natural and legal persons be prosecuted for money laundering?

Yes, both natural and legal persons can be prosecuted.

Law stated - 8 September 2025

The offence of money laundering

What constitutes money laundering?

Essentially, it criminalises any conduct that involves the handling of money, goods, effects or profits that are known or presumed to be of illegal origin, with the intent of preventing their identification, seizure or forfeiture.

Law stated - 8 September 2025

The offence of money laundering

Can financial institutions or other money-centred businesses be prosecuted or pursued for their customers' money laundering crimes?

Financial institutions and other money-centred businesses are not criminally liable for money laundering offenses committed solely by their customers, unless the institution itself directly participates in or facilitates the crime. However, they can face significant administrative and legal consequences if they fail to comply with their obligations to prevent and detect money laundering.

Law stated - 8 September 2025

Qualifying assets and transactions

Is there any limitation on the types of assets or transactions that can form the basis of a money laundering offence?

There is no limitation.

Law stated - 8 September 2025

Predicate offences

Generally, what constitute predicate offences?

In Peru's legal framework, particularly under Legislative Decree No. 1106, predicate offences are the underlying criminal activities that generate the illicit funds or assets that are subsequently subjected to money laundering.

Crucially, Peruvian law adopts a broad approach to predicate offences. This means it does not require a definitive, exhaustive list of specific crimes. Instead, it generally covers a wide range of serious offences.

Key characteristics of predicate offences in Peru's ML framework and jurisprudence:

- **Autonomy of money laundering:** one of the most important principles is that money laundering is an autonomous crime. This means that prosecutors do not need to secure a conviction for the underlying predicate offence to successfully prosecute someone for money laundering. They only need to prove that the assets are of illicit origin (or that the person had reason to presume their illicit origin), even if the specific predicate crime or the person who committed it cannot be identified or convicted.
- **'All crimes' approach:** while some legal systems use a 'list-based' approach where only specific crimes are predicate offences, Peru generally follows an 'all crimes' approach. This means that funds derived from any criminal activity can be considered illicit proceeds for the purpose of money laundering. The focus is on the illicit nature of the funds, not on a definitive list of generating crimes.
- **'Reason to presume illicit origin':** the law specifies that the money launderer needs to 'know or have reason to presume' the illicit origin of the funds. This broadens the scope beyond direct knowledge and includes situations where a reasonable person, given the circumstances, should have suspected the illicit source.

This flexible approach allows Peruvian authorities to adapt to new forms of criminality and effectively target various sources of illicit wealth that flow into the economy.

Law stated - 8 September 2025

Defences

Are there any codified or common law defences to charges of money laundering?

The main defences revolve around four fronts:

- challenging the illicit origin through an accounting appraisal;
- supporting the absence of subjective incredibility, that is, that there are no elements to prove that an attempt was made to conceal illicit assets;
- the absence of elements that would have led to the presumption of illicit origin; and
- attacking the structure of the crime head-on.

Each case must be evaluated individually.

Law stated - 8 September 2025

Resolutions and sanctions

What is the range of outcomes in criminal money laundering cases?

In Peru, the range of outcomes in criminal money laundering cases is quite broad, encompassing various penalties and legal consequences, depending on the specifics of the case, aggravating factors and the nature of the defendant (individual or legal entity).

Here is a breakdown of the typical criminal sanctions:

- For individuals:
 - Imprisonment: this is the primary penalty for money laundering. The basic penalty for money laundering, as defined in Legislative Decree No. 1106, typically ranges from 8 to 15 years of imprisonment. In aggravated circumstances the sentences can be significantly higher (15 to 20 years or more). These include: the offender being part of an organised criminal group; and the offender being a public official or exercising a public function, among others.
 - Fines: in addition to imprisonment, substantial fines are almost always imposed. These fines are typically calculated based on a multiple of the value of the laundered assets or the illicit operation. The specific amount is determined by the judge based on the severity of the crime and the illicit proceeds.
 - Disqualification: convicted individuals may also face disqualification from holding public office, engaging in certain professions or establishing businesses for a specified period, or even permanently. This aims to prevent them from using positions of trust to commit similar crimes.
 - Civil reparation: the convicted person will be ordered to pay civil reparation to the state, which represents compensation for the damages caused by the crime. This includes the value of the illicit assets if they cannot be recovered, and other damages.
- For legal entities (juridical persons) - administrative liability:
 - fines: significant administrative fines are imposed, which can range from a few tax units (UITs) to hundreds of UITs (a UIT is a reference value updated annually). These fines can be substantial and aim to punish the entity's lack of due diligence.
 - temporary or permanent suspension of activities: the entity's commercial or corporate activities related to the crime can be temporarily suspended (eg, for six months to two years). In severe cases, a permanent ban on conducting activities of the same nature as the one in which the crime was committed can be imposed.
 - temporary or permanent closure of premises: the business premises where the illicit activities took place can be temporarily or permanently closed.
 - dissolution of the legal entity: in the most extreme cases, particularly for entities found to be largely dedicated to criminal activity or where the crime is very grave, the legal entity can be dissolved and liquidated.

- Non-conviction based forfeiture (extinción de dominio):
 - separate from criminal prosecution, Legislative Decree No. 1373 (the Asset Forfeiture Law) allows for assets to be forfeited to the state if they are proven to be of illicit origin or used in criminal activities, even if there is no criminal conviction. This is a civil-based action against the assets themselves.

In summary, the sanctions of money laundering cases in Peru range from significant prison sentences, hefty fines and disqualifications for individuals to severe administrative penalties (including dissolution) for legal entities, alongside the autonomous power of the state to forfeit illicit assets.

Law stated - 8 September 2025

Forfeiture and other remedies

Describe any related asset freezing, seizure, forfeiture, disgorgement and victim compensation laws.

Precautionary seizure and forfeiture are measures requested by prosecutors to courts within the framework of a criminal proceeding. These measures consist of provisional seizure of assets suspected of being proceeds or instruments of crime to prevent their dissipation, transfer or concealment while the investigation is ongoing.

In exceptional cases, the UIF has the authority to administratively freeze funds when there is a risk that the assets may disappear.

Finally, Legislative Decree No. 1373 (the Asset Forfeiture Law) allows for assets to be forfeited to the state if they are proven to be of illicit origin or used in criminal activities, even if there is no criminal conviction. This is a civil-based action against the assets themselves.

Law stated - 8 September 2025

Limitation periods on money laundering prosecutions

What are the limitation periods governing money laundering prosecutions?

In Peru, the statutes of limitations are determined by the general rules of the Peruvian Criminal Code. According to article 80 of the Peruvian Criminal Code, the ordinary statute of limitations for criminal action is equal to the maximum penalty established for the crime.

In the extraordinary basis, the statute of limitations is equal to the maximum penalty plus its half. This applies when the limitation period can be suspended, for example, once a criminal proceeding is formally initiated (with the issuance of a 'formalisation of the preliminary investigation' by the prosecutor).

Law stated - 8 September 2025

Extraterritorial reach of money laundering law

Do the money laundering laws applicable in your jurisdiction have extraterritorial reach?

Yes, Peruvian money laundering laws do have extraterritorial reach, meaning they can apply to acts committed outside of Peruvian territory under certain circumstances. This is a crucial aspect for combating a transnational crime like money laundering.

Peru's Criminal Code, specifically article 2, lays out the principles of extraterritorial jurisdiction. For money laundering, the most relevant principle is the effects doctrine stated in article 2, paragraph 2 of the Peruvian Criminal Code, which states that Peruvian criminal law applies to any offence committed abroad that 'constitutes an offence of money-laundering, provided that its effects are felt within the territory of the Republic'. If a money laundering scheme is initiated or carried out abroad, but the laundered funds or their impact (eg, integration into the Peruvian financial system, acquisition of assets in Peru or harm to the Peruvian economy) are felt within Peru, then Peruvian jurisdiction can be asserted.

Law stated - 8 September 2025

AML REQUIREMENTS FOR COVERED INSTITUTIONS AND INDIVIDUALS

Enforcement and regulation

Which government entities enforce the AML regime and regulate covered institutions and persons in your jurisdiction?

In Peru, the enforcement and regulation of the anti-money laundering (AML) and counter-terrorist financing (CFT) regime involve a network of government entities, each with specific roles and responsibilities.

Here are the key government entities that enforce the AML regime and regulate covered institutions and persons in Peru:

- Financial Intelligence Unit of Peru (UIF-Perú): the national centre for receiving, analysing, and disseminating financial intelligence related to money laundering and terrorist financing.
- Public Prosecutor's Office: this is the primary law enforcement agency responsible for criminal investigation and prosecution of money laundering offences.
- Judiciary: Peruvian courts are responsible for adjudicating money laundering cases, issuing search warrants and other judicial authorisations, and overseeing asset forfeiture proceedings.
- Superintendency of the Securities Market (SMV): the SMV is responsible for regulating and supervising participants in the Peruvian securities market. It sets and enforces AML/CFT regulations for entities such as stockbrokers, mutual fund administrators and other securities market participants.

National Superintendency of Tax and Customs Administration (SUNAT): while its primary function is tax collection and customs control, SUNAT plays a vital role in the AML/CFT regime by identifying suspicious financial flows related to tax evasion, illicit trade and cross-border cash movements.

Law stated - 8 September 2025

Enforcement and regulation

Do the AML rules provide for ongoing and periodic assessments of covered institutions and persons?

The AML framework does provide for ongoing and periodic assessments of covered institutions and persons.

Law stated - 8 September 2025

Covered institutions and persons

Which institutions and persons must have AML measures in place?

The obligated entities must implement a system for preventing money laundering and combating terrorist financing, which includes policies and regulations on money laundering and terrorist financing, as well as the designation of a compliance officer.

Law stated - 8 September 2025

Covered institutions and persons

How do regulated and non-regulated sector AML obligations differ?

For regulated sectors, mainly financial institutions under the direct oversight of the Superintendency of Banking, Insurance and Private Pension Fund Administrators (SBS), the AML framework is comprehensive and risk-based. These institutions must implement higher measures that include the designation of a compliance officer in an exclusive basis, internal and external audits, periodical reports to SBS and due diligence process for clients, providers and workers.

In contrast, depending on the non-financial sectors, the level of the measures could change. For example, if the obligated subject belongs to Res. SBS 369-2018, the only measures that they need to implement are: (1) appoint a compliance officer in a non-exclusive basis and (2) implement a register for suspicious operations. On the other hand, if the obligated subject belongs to Res. SBS 789-2018, the standard is higher, for example, in addition to implementing the measures described above, they must also establish high risk measures for identifying clients, directors, providers and workers.

In summary, financial institutions in Peru operate under a strict, risk-based AML regime with continuous customer monitoring and robust supervision by the SBS. Non-financial entities, on the other hand, have narrower, transaction-based obligations, with lighter compliance requirements and less intensive oversight by the UIF and other authorities.

Law stated - 8 September 2025

Compliance

Do the AML laws applicable in your jurisdiction require covered institutions and persons to implement AML compliance programmes? What are the required elements of such programmes?

Yes, the Anti-Money Laundering and Counter-Terrorist Financing System (or SPLAFT) refers to the comprehensive set of policies, procedures, controls and internal structures that 'obligated entities', as defined by Peruvian law, must implement and maintain to prevent and detect money laundering (ML) and terrorist financing (FT) activities.

The requirement for obligated entities to implement a SPLAFT is primarily mandated by the Superintendency of Banking, Insurance and Private Pension Fund Administrators (SBS), through various resolutions (eg, SBS Resolution No. 2660-2015 for financial institutions, and specific resolutions for other sectors).

Key components and objectives of a SPLAFT in Peru include:

- risk-based approach: obligated entities must identify, assess and understand their ML/FT risks (related to customers, products, services, delivery channels and geographical areas) and apply resources and measures proportionate to those risks;
- customer due diligence (DDC/KYC);
- reporting of suspicious transactions (ROS);
- internal controls and policies;
- compliance officers;
- training and awareness; and
- internal audits and external reviews.

The SPLAFT is therefore the operational framework that each regulated institution or person must have in place to fulfil their obligations under Peru's AML/CFT laws and regulations. It is a critical component of Peru's overall national strategy to combat money laundering and terrorist financing.

Law stated - 8 September 2025

Breach of AML requirements

What constitutes breach of AML duties imposed by the law?

A breach generally occurs when an obligated entity or its personnel fail to establish, implement or properly execute their SPLAFT.

Here are the key areas where breaches of AML duties typically occur:

- failure in customer due diligence (CDD/KYC);
- failure to report suspicious transactions (STRs/ROS);
- deficiencies in internal controls and policies (SPLAFT implementation);
- failure regarding the compliance officer; and

- inadequate training and awareness.

Law stated - 8 September 2025

Breach of AML requirements

Can a covered institution or person request consent from an authority to perform a transaction that would otherwise be a criminal offence?

In Peru, covered institutions or persons cannot request prior consent from an authority to perform a transaction that would otherwise constitute a criminal offence, such as money laundering or related crimes.

Law stated - 8 September 2025

Customer and business partner due diligence

Describe due diligence requirements in your jurisdiction's AML regime.

Peru's AML regime places strong emphasis on customer due diligence (CDD), also known as KYC, trader due diligence and works due diligence.

Law stated - 8 September 2025

High-risk categories of customers, business partners and transactions

Do the AML rules applicable in your jurisdiction require that covered institutions and persons conduct risk-based analyses? Which high-risk categories are specified? What level of due diligence is expected in relation to customers assessed to be high risk?

Enhanced due diligence (EDD) is required for customers or situations presenting higher AML/FT risks. This includes, but is not limited to:

- politically exposed persons (PEPs): customers who are or have been entrusted with prominent public functions, as well as their family members and close associates;
- high-risk customers: customers identified through the entity's risk assessment as presenting elevated ML/FT risks;
- unusual or complex transactions: transactions that are unusual, complex, large or show unusual patterns, with no apparent economic or lawful purpose; and
- customers from high-risk jurisdictions: dealing with customers or transactions involving countries identified as high-risk by the Financial Action Task Force (FATF) or other reputable sources.

EDD measures consist of more extensive background checks, obtaining additional information on the purpose of the account or relationship, increased frequency of monitoring, requiring additional sources of information to verify identity and conducting adverse media checks and sanctions screening.

Law stated - 8 September 2025

Record-keeping and reporting requirements

Describe the record-keeping requirements for covered institutions and persons.

Maintaining records of customer identification data, transaction records and suspicious transaction reports for the period required by law (typically 10 years).

Law stated - 8 September 2025

Record-keeping and reporting requirements

Describe any reporting requirements for suspicious activity for covered institutions and persons.

Covered institutions and persons in Peru must promptly report suspicious transactions to UIF-Peru via ROS (report of suspicious transactions), monitor and record unusual activities, maintain confidentiality and appoint a compliance officer to oversee these duties. Non-compliance may result in administrative sanctions or even criminal liability. The report must be submitted within 24 hours of the suspicious operation being identified.

Law stated - 8 September 2025

Privacy laws

Describe any privacy laws that affect record-keeping requirements, due diligence efforts and information sharing.

The Personal Data Protection Act (Law No. 29733) regulates the processing of personal data by public and private entities. However, it does not apply to AML cases.

Law stated - 8 September 2025

Privacy laws

Does the law permit covered institutions and persons to share records or other information with (domestic or foreign) law enforcement and regulators, FIUs or other covered institutions and persons?

Yes.

Law stated - 8 September 2025

Resolutions and sanctions

| What is the range of outcomes in AML controversies?

Breaches of AML duties can lead to significant administrative penalties imposed by the regulating entities. These penalties can include:

- monetary fines: substantial fines, often calculated as a percentage of the entity's revenue or the amount of the non-compliant transaction or based on UITs (tax units);
- sanctions for individuals: fines or professional disqualification for the compliance officer or other responsible personnel;
- corrective actions: orders to implement specific corrective measures within a given time frame; and
- reputational damage: significant harm to the institution's reputation.

Law stated - 8 September 2025

| Resolutions and sanctions

| What are the possible sanctions for breach of AML laws?

The possible sanctions are monetary sanctions and administrative measures.

Law stated - 8 September 2025

| Limitation periods for AML enforcement

| What are the limitation periods governing AML matters?

While there is no limitation on inspection, there is a statute of limitations.

Law stated - 8 September 2025

| Extraterritoriality

| Do your jurisdiction's AML laws have extraterritorial reach?

Peru's Criminal Code, specifically article 2, lays out the principles of extraterritorial jurisdiction. For money laundering, the most relevant principle is the effects doctrine stated in article 2, paragraph 2 of the Peruvian Criminal Code, which states that Peruvian criminal law applies to any offence committed abroad that 'constitutes an offence of money-laundering, provided that its effects are felt within the territory of the Republic'. If a money laundering scheme is initiated or carried out abroad, but the laundered funds or their impact (eg, integration into the Peruvian financial system, acquisition of assets in Peru or harm to the Peruvian economy) are felt within Peru, then Peruvian jurisdiction can be asserted.

Law stated - 8 September 2025

CIVIL CLAIMS

Procedure

Enumerate and describe the required elements of a civil claim or private right of action against money launderers and covered institutions and persons in breach of AML laws.

The Civil Code allows for civil claims for extracontractual liability against money launderers, either for the general duty not to harm another (article 1969) or for damage caused by a subordinate (article 1981). Extracontractual civil liability requires the classic elements of civil liability: (1) damage; (2) an event causing the damage; (3) a causal relationship between the two; (4) the unlawfulness of the event causing the damage; and (5) an attribution factor that may be intentional or negligent. However, in practice, there are no known civil claims against money launderers. The reason is that the Peruvian Criminal Procedure Code allows civil claims for damages to be combined with criminal claims. Therefore, the state, which is considered aggrieved by the crime of money laundering, requests to be included in the Criminal Procedure Code through its attorneys (prosecutors specialized in money laundering) to claim damages against the money launderers. The criminal process allows for the award of damages, even if the defendants were not convicted of money laundering.

Law stated - 8 September 2025

Procedure

What is the limitation period on a civil claim?

The limitation period is two years.

Law stated - 8 September 2025

Damages

How are damages calculated?

Damages are usually calculated by applying percentages (10 per cent, 20 per cent, etc) to the estimated amount of money laundered. The criteria for establishing these percentages are usually the degree of participation in the events and the number of people involved.

Law stated - 8 September 2025

Other remedies

What other remedies may be awarded to successful claimants?

The seizure and confiscation of assets subject to money laundering, as well as the loss or forfeiture of ownership of those assets, can be considered remedial measures because in both cases the beneficiary is the state, which is considered to be aggrieved by the money launderers.

Law stated - 8 September 2025

INTERNATIONAL MONEY LAUNDERING EFFORTS

Supranational

List your jurisdiction's memberships of supranational organisations that address money laundering.

- United Nations (UN).
- Organization of American States (OAS).
- Financial Action Task Force (FATF).
- Latin American Financial Action Task Force (GAFILAT).
- Egmont Group.
- Group of Experts for the Control of Money Laundering (GELAVEX) of the Inter-American Drug Abuse Control Commission of the Organization of American States (CICAD-OAS).
- Basel Committee on Banking Supervision (BCBS).
- International Association of Insurance Supervisors (IAIS).
- Association of Latin American Insurance Supervisors (ASSAL)..

Law stated - 8 September 2025

Anti-money laundering assessments

Give details of any assessments of your jurisdiction's money laundering regime conducted by virtue of your membership of supranational organisations.

Between 21 May and 1 June 2018, FATF visited Peru to assess its compliance with the 40 FATF Recommendations. The results of this assessment were as follows:

The mutual evaluation concluded that the country complied with 10 Recommendations; mostly complied with 14; partially complied with 24; and did not comply with 1. Peru received a rating of mostly compliant with 9 of the 16 Key and Principal Recommendations.

Law stated - 8 September 2025

FIUs

Give details of your jurisdiction's Financial Intelligence Unit (FIU).

The Peruvian FIU is an entity created by Law No. 27693 of 12 April 2002, amended by Laws 28009 and 28306. It was incorporated as a specialised unit of the Superintendency of Banking, Insurance, and Private Pension Fund Administrators (SBS) by Law No. 29038 of 12 June 2007, but has functional and technical autonomy. It is comprised of three offices:

(1) the Office of Financial Intelligence; (2) the Office of Prevention, Liaison, and Cooperation; and (3) the Office of Evaluation and Supervision. It has two main areas of function: (1) it receives, analyses, processes, evaluates and transmits information for the detection of money laundering and terrorist financing (ML/TF); and (2) it assists obliged entities in the implementation of ML/TF prevention systems. Additionally, it coordinates with other state supervisory bodies on regulation of and actions to prevent ML/TF. It is the liaison body for the international exchange of information for the prevention of ML/TF and is competent to order the administrative freezing of funds in cases allegedly linked to ML/TF offences.

In carrying out its functions, the FIU has signed cooperation agreements or understandings with various national and international entities.

Law stated - 8 September 2025

Mutual legal assistance

In which circumstances will your jurisdiction provide mutual legal assistance with respect to money laundering investigations? What are your jurisdiction's policies and procedures with respect to requests from foreign countries for identifying, freezing and seizing assets?

The FIU is competent to respond to requests for information from abroad from similar or peer institutions within the framework of the prevention and fight against ML/TF (article 3, paragraph 6 of Law No. 27693). In turn, in cases where it becomes aware of indications of the commission of ML/TF offences, it may exceptionally order the administrative freezing of funds, provided that delay poses a risk. It must report this to a judge within 24 hours of its execution, who must then validate or deny the measure within the same period (article 3, paragraph 11 of Law No. 27693).

Outside of this case, any freezing or seizure of assets requires a judicial decision issued within the framework of a criminal investigation or proceeding. These measures are regulated by the Code of Criminal Procedure. This Code also provides for the International Judicial Cooperation mechanism for authorities of the Peruvian and foreign justice system to cooperate.

Law stated - 8 September 2025

UPDATE AND TRENDS

Enforcement and compliance

Describe any national trends in criminal money laundering schemes and enforcement efforts.

- Prevention: strengthening the regulatory framework, enhancing the anti-money laundering and counter-terrorist financing systems of obligated entities (both financial and non-financial) and promoting a culture of compliance.
- Detection: improving the capacity of the Financial Intelligence Unit (UIF-Perú) to receive, analyse and disseminate financial intelligence, and enhancing mechanisms for reporting suspicious transactions.

- Continuous improvement: the plan is a dynamic instrument, subject to periodic evaluation and updates to adapt to evolving threats and comply with international standards set by bodies like the Financial Action Task Force.

Law stated - 8 September 2025

Enforcement and compliance

Describe any national trends in AML enforcement and regulation.

Peru's National Anti-Money Laundering and Counter-Terrorist Financing Plan (PNCLA/FT), currently guided by the PNCLA to 2030, is a comprehensive, multi-sectoral strategy designed to prevent, detect, investigate and punish money laundering and terrorist financing activities efficiently and effectively.

- Strategic objective: to reduce the socio-economic impact caused by the entry of illicit assets into the economy, thereby safeguarding Peru's economic, political and social stability.
- Risk-based approach: the plan is built on a risk assessment, acknowledging key threats such as drug trafficking, illegal mining, corruption in public life and other serious organised crimes.
- Articulation/coordination: fostering greater coordination and collaboration among all involved public and private institutions (eg, through the Multi-sectoral Executive Commission Against Money Laundering and Terrorist Financing (CONTRALAFT).
- International cooperation: the plan underscores the importance of international cooperation, including mutual legal assistance and information exchange, given the transnational nature of money laundering.

Law stated - 8 September 2025

Enforcement and compliance

Describe current best practices in the compliance arena for companies and financial institutions.

- Investigation and sanction: strengthening the investigative capabilities of the Public Prosecutor's Office and the National Police, improving the judicial process for money laundering and asset forfeiture cases and ensuring effective punishment.
- Emphasis on asset recovery: a significant focus is placed on the identification and recovery of illicit assets through mechanisms like asset forfeiture (*extinción de dominio*).

Law stated - 8 September 2025