



## NATIONAL PORTS AND NAVIGATION AGENCY

### Resolution 4/2026

### RESOL-2026-4-APN-ANPYN#MEC

City of Buenos Aires, 20/01/2026

Having reviewed File No. EX-2025-90379224- -APN-ANPYN#MEC, the Port Activities Law No. 24,093 of June 3, 1992, its Regulatory Decree No. 769 of April 19, 1993, the Decree of Necessity and Urgency No. 3 of January 3, 2025, and the "Nation - Province" Transfer Agreement signed between the National State and the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands on September 25, 1992; and,

### CONSIDERING:

That, due to the actions cited in the Preamble, the complaint made by the Secretary General of the Union of Senior Railway Personnel of Tierra del Fuego and other actors and entities that are grouped in the local port activity is being processed, who express their deep concern and rejection in the face of the sanction of Provincial Law No. 1596 sanctioned on July 1, 2025 and promulgated under Provincial Decree No. 1849 of July 22 of the same year, called of "Sustainability and Strengthening of the Social Work of the State of Fuegian (OSEF)", whose application, according to their statements, would compromise the operability, financial autonomy and institutional support of the Provincial Directorate of Ports of the aforementioned province.

This would be due to the fact that Article 12 of the aforementioned law provides for the exceptional creation of a Specific Fund for the Payment of Debt of the Fuegian State Social Welfare Organization (OSEF), specifying that the source of financing will be the financial surplus produced by the Port of Ushuaia, corresponding to the fiscal years 2024 and 2025, administered by the Provincial Directorate of Ports; a situation that would jeopardize the normal functioning of that institution, its investment capacity and the fulfillment of its contractual obligations and commitments assumed, defunding an entity that has historically been self-sustaining and fulfills a strategic role in the provincial economy.

That in light of said complaint, the Port Engineering and Waterways Management, under the Technical Coordination Management of this NATIONAL PORTS AND NAVIGATION AGENCY (see IF-2025-97326596-APN-GIPYVN#ANPYN), was involved, who stated that the General Ports Administration SAU (AGP SAU), currently in liquidation, has maintained a close relationship with the Provincial Ports Directorate during the last few years, collaborating and participating in a series of works and projects necessary to adapt the Port of Ushuaia to the requirements arising from the strong and sustained growth of the cruise industry in the region, in addition to providing a response to the other port operations that, simultaneously, are carried out on the docks.





He also mentioned that within the framework of this institutional collaboration, a series of agreements were made for the implementation of initiatives and projects of great relevance to the port infrastructure and the strategic development of the Port of Ushuaia as well as the Province, providing specialized technical assistance to said port administration in order to strengthen its capabilities.

He emphasized that the Port's continued operation depends on the execution of maintenance, repair, and infrastructure improvement work, some of which is urgent, in order to provide operational safety, enable spaces currently unavailable for port tasks and activities, and allow the completion of new works that provide adequate service to ships, crews, passengers, and cargo, given the importance of the Port of Ushuaia as a multipurpose port terminal and as a gateway to Antarctica.

In that regard, the technical area indicated that the unavailability of funds from the proceeds of its operation would make it patently impossible for the Provincial Directorate of Ports to carry out the aforementioned works, which are of vital importance for the safe operation of the commercial dock; moreover, considering that cargo and passenger commercial activities coexist in the Port of Ushuaia and that the various projects presented seek to ensure the continuity of both operations without interruption.

In addition, on September 25, 1992, the then Ministry of Economy and Public Works and Services and the Secretary of Transport—in his capacity as liquidator of the General Ports Administration State Company—, on the one hand, and the Governor of the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands, on the other hand, entered into a Nation-Province port transfer agreement (hereinafter, the “Agreement”), ratified by the provincial Executive Branch through Decree No. 1931/92, the purpose of which was the transfer, free of charge, of the ownership, administration and operation of the Port of Ushuaia to the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands.

That, as relevant to the case under analysis, the seventh clause of the aforementioned Agreement established as an obligation that the port's revenues be accounted for independently of the general provincial revenues and applied exclusively to cover expenses for administration, operation, training and investments linked to port activity, aimed at ensuring greater efficiency, optimizing costs and rates and benefiting domestic and foreign trade.

That, in view of the foregoing, by means of Note No. NO-2025-98807517-APN-ANPYN#MEC of September 5, 2025, the complaint was brought to the attention of the authorities of the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands and the Provincial Directorate of Ports, also demanding that within the non-extendable period of FIVE (5) days from its receipt, they make the pertinent statement and/or adopt the necessary measures in order to fully comply with clause seven of the aforementioned Agreement, under penalty of adopting the pertinent measures in the face of such non-compliance and/or applying the sanctions of suspension of the authorization for a certain time, expiration of the authorization and/or intervening in the administration of the sanctioned port, in view of the public interest involved (cf. Subsections a) and b) of article 23 of Decree No. 769/93, regulatory of Law No. 24,093).





That said requirement was notified to the local authorities on September 5, 2025, as can be seen from the records that appear in order 22 of these proceedings (v. IF-2025-100141239-APN-ANPYN#MEC).

That on September 11, 2025, the Governor of the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands submitted his defense, adhering to the terms of Note DPP No. 0197/2025, signed by the President of the Provincial Directorate of Ports, Mr. Roberto Marcial Murcia, a copy of which is attached in order 23 of these proceedings (see IF-2025-103115804-APN-ANPYN#MEC).

In the aforementioned note, the Provincial Directorate of Ports highlighted that, through various reports prepared by the heads of the technical areas of that entity, it had been conclusively reported and proven to the Provincial Executive Branch that the execution of article 12 of Provincial Law No. 1596 would directly compromise the economic resources of said port entity, affecting both its normal operating procedures and its committed works and services already allocated according to the accounting and budgetary system.

He added that the regulations recently passed by the provincial legislature undermine the purpose of the port authority and infringe upon the body of regulations governing such activity at the local level (Provincial Law No. 69 and its legitimate precedents, such as the agreements on Port Transfers between the Nation and the Provinces), affecting its proper economic and financial management, the system of agreed and/or programmed contracts, and even the interests of its human capital.

He finally emphasized that the new legal provision would hinder the normal operation and functioning of the port, generating a considerable economic and financial imbalance for the institution, which would cause a serious problem in fulfilling the commitments assumed.

Furthermore, an accounting and budgetary report was attached, which shows that the Provincial Government and the Provincial Directorate of Ports signed Collaboration Agreement No. 26,174, through which assistance was provided to the Ministry of Economy of the Province, in order to grant financial assistance in the amount of FOUR BILLION PESOS (\$4,000,000,000) to the aforementioned jurisdiction, intended to finance a plan of works in various areas of its competence, which was financed with the surplus corresponding to the 2024 fiscal year of the Provincial Directorate.

That, in turn, an Addendum to the Collaboration and Financial Assistance Agreement signed between the Ministry of Health of the Province and the Provincial Directorate of Ports on November 7, 2024, was attached.

That, in view of the discharge presented, this NATIONAL AGENCY OF PORTS AND NAVIGATION arranged for an inspection to be carried out in the Port of Ushuaia, establishing for this purpose an Inspection Commission, a circumstance that was notified to the Provincial Directorate of Ports and to the Provincial Executive Branch on September 29, 2025 (cf. NO-2025-108187933-APN-ANPYN#MEC and IF-2025-116497853-APN-ANPYN#MEC, added in orders 40 and 41).





The purpose of the inspection was to verify the reported issues and any other aspect related to compliance with the applicable national regulations on port matters, the oversight of which corresponds to this NATIONAL PORTS AND NAVIGATION AGENCY, as it is the only National Port Authority and by virtue of the powers that have been legally assigned to it.

That, as a result of said inspection, carried out on September 30 and October 1, 2025, the Inspection Commission produced the technical report identified under number IF-2025-136458679-APN-GCT#ANPYN (see order 44).

That in said report the Inspection Commission warned of a significant deterioration in structural sectors of the commercial dock, particularly in Site 3, which showed, in general, evident signs of wear in the dock fenders, deformations in the mooring elements, failures in pavements and losses of material that affect the berthing capacity and the safety of maneuvering.

Furthermore, it was found that the fire protection systems were obsolete and discontinuous, there were deficiencies in signage and lighting, poor control of heavy traffic entering and leaving the area, deficiencies in stormwater drainage, and insufficient preventive maintenance scheduling.

That, from an environmental and port security perspective, the inspection verified deficiencies in waste management, in the signage of risk areas and in compliance with protocols related to the prevention of operational incidents, in contravention of the regulations on navigation safety, port security and environmental protection.

Regarding the survey of the conditions of technology, communications, systems and information security, it was found that the inspected port failed to comply with the minimum national and international standards of development, technology and security, availability, integrity and confidentiality of information.

Finally, it was noted that the technical aspects identified (structural deterioration, maintenance failures, disinvestment, improper use of resources and security deficiencies) constituted a scenario of serious and persistent non-compliance with the conditions that support the authorization of the port, which falls within the sanctioning grounds specified in sections I), VI) and VIII) of Article 23 of Decree No. 769/93, regulating Law No. 24,093.

That, based on the above, by note No. NO-2025-113643247-APN-GCT#ANPYN dated October 13, 2025, notified on the same date (see IF-2025-136478080-APN-GCT#ANPYN), the aforementioned report was transferred for a period of five (5) days to the authorities of said Province and the port administration, so that they may produce the respective defense on the alleged offenses and offer the evidence they deem appropriate, in accordance with the procedure established in article 23 in fine of Decree No. 769/93.

That on November 3, 2025, the Provincial Port Authority submitted its response and supplementary documentation, attaching at the same time the reports prepared by the heads of the different administrative and operational areas of that Authority, in order to respond to the observations made in the





## Inspection Report.

That, likewise, it accompanied supporting documentation and some actions carried out from said entity, in which they processed framework and specific agreements that it signed with the then General Administration of Ports State Company and with the former Ministry of Transport, intended for the implementation and financing of infrastructure works for the Port of Ushuaia, the acquisition of elements such as fenders and technical advice, among others, related to the purposes and port competencies (see order 52 to 54).

After referring to the conclusions of the reports prepared by the various technical areas under its charge, the Provincial Directorate maintained, in short, that the conclusions reached by the Inspection Commission did not fully reflect the real situation of the entity; which, according to its statements, was in a continuous process of carrying out infrastructure works - among them, the expansion of the Commercial Dock Puerto Ushuaia - as well as operational and administrative modernization.

Finally, on November 19, 2025, outside the allotted time, the Provincial Port Authority sent Note No. N-DPP-1004-2025, expanding the previously submitted statement and attaching documentation in this regard (see orders 55/57).

That the discharge presented by the Provincial Port Authority and all the accompanying documentation was technically analyzed - from the accounting and financial aspects, current general infrastructure of the Port of Ushuaia and its future projections, operational and port security and technology, communications and information security - by the Managements of this Agency with specific competence in these matters, whose technical reports appear in orders 58 to 61 of these proceedings.

The aforementioned technical reports indicate that the documentation relating to the state of the port infrastructure of the Port of Ushuaia, submitted to the Provincial Port Authority, acknowledges the various infrastructure problems of said port and states that these should be addressed by the Provincial Port Authority, with the technical assistance of the then General Port Administration State Company (formerly AGP SE), in accordance with the technical collaboration agreements entered into.

However, it was noted that some of these agreements were successfully executed, while others remained unfinished or were not completed, and that, as indicated by the Provincial Port Authority in the accompanying documentation, various circumstantial problems prevented progress with the execution of certain works.

It was also noted that the low level of execution of port infrastructure works (1.3% of total accrued expenses) contrasts with the urgent investment needs identified in the institutional plans of the Provincial Directorate in question and in the technical surveys carried out by this Agency.

Furthermore, the accounting and administrative report submitted by the aforementioned Directorate only partially addresses the observations made by this Agency in its Inspection Report, and does not provide documentary evidence of the correction of the inconsistencies detected, since the responses provided are, for the most part,



merely explanatory or descriptive in nature, without being accompanied by verifiable documentation that allows for the conclusion of the effective regularization of the aspects observed in due course.

Furthermore, the comprehensive analysis of all the accounting and administrative documentation provided by the Provincial Directorate revealed that the expenditure structure accrued as of September 30, 2025, shows a high concentration in personnel expenses (55%) and in financial assets oriented towards loans (30%), which constitutes an execution profile that partially deviates from the operational functions of the provincial entity. It should be noted that the explanation provided did not mention or provide any supplementary documentation regarding this observation, particularly concerning the low level of execution of port infrastructure works (1.3% of the total accrued), which contrasts with the investment needs identified in the institutional plans and in the technical surveys carried out by this Agency.

In short, it was verified that there was an imbalance between loans granted and low investment in infrastructure, which could compromise the future availability of resources to address the necessary works, affecting the operational capacity and sustainability of the port.

Regarding the observations made from the point of view of operational safety, the response provided by the aforementioned port authority reflected an intention of adequate interdepartmental coordination for the performance of the various operations carried out in the Port of Ushuaia, but this intention is not supported by the existence of a formal protocol that regulates the simultaneous operation of cargo activities with the embarkation and disembarkation of cruise passengers, nor by the physical implementation of control and delimitation measures on the dock that allow differentiating passenger transit zones and operational areas for cargo or supply.

Furthermore, the reports accompanying the discharge do nothing more than acknowledge the obsolescence and discontinuity of the fire protection systems and the alarm system, fire and man overboard, as well as a lack of sufficient security personnel for the various security operations in all activities carried out in the port or a lack of adequate control by the existing security personnel, deficiencies in signage and lighting, among other shortcomings.

Regarding the observations made on technology, systems and cybersecurity, the explanations provided by the provincial entity reveal, in many cases, that the situations verified in the Inspection have not been modified, or that the responses are insufficient to refute the observations made in due course.

In this specific matter, it was concluded that the previously observed situations persisted, namely: a) The Provincial Port Authority lacks sufficient qualified personnel in the field and does not comply with the minimum standards of development, technology, and information security, not only international standards but also those established in national regulations, such as the directives issued by National Law No. 25,326 on the Protection of Personal Data; b) A lack of supporting documentation for the systems used by the Authority was also found: SIGEP (billing and collection management system), Gen Financiero (comprehensive budget system), and Gen Expedientes (interstate communication at the provincial level); c) Furthermore, the absence of audits to determine information security, the data center, and the





information security pillars of the systems existing in the inspected Directorate, given that the level of risk of unavailability, lack of integrity and/or lack of confidentiality is high.

That, in summary, from the statements made in the discharge presented by the Provincial Port Directorate of the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands and from its attached reports, no objective element was found that would allow to refute the observations and findings detected in the inspection process carried out in due course at said Directorate and at the Port of Ushuaia on September 30 and October 1, 2025, mentioned in the "Inspection Report" produced for that purpose by the intervening Inspection Commission.

Having said this, it is important to highlight that by Decree of Necessity and Urgency No. 3 of January 3, 2025, this NATIONAL AGENCY OF PORTS AND NAVIGATION (ANPyN) was created as an autonomous entity, with its own legal personality and capacity to act in the field of public and private law, eliminating in the same act the former UNDERSECRETARIAT OF PORTS AND WATERWAYS dependent on the then SECRETARIAT OF TRANSPORT of the MINISTRY OF ECONOMY.

That by article 2 of the aforementioned decree the dissolution and subsequent liquidation of the GENERAL ADMINISTRATION OF PORTS SINGLE-PERSON PUBLIC LIMITED COMPANY (AGP SAU) was established, continuing its intervention for those purposes.

That, in turn, said decree provided that the NATIONAL AGENCY OF PORTS AND NAVIGATION (ANPyN) will be the legal successor and will maintain the responsibilities, powers and functions assigned to the then UNDERSECRETARIAT OF PORTS AND WATERWAYS and the GENERAL ADMINISTRATION OF PORTS SINGLE-PERSON CORPORATION (AGP SAU).

It also stipulated that the NATIONAL PORTS AND NAVIGATION AGENCY (ANPyN) is the sole National Port Authority and the Authority responsible for enforcing the laws in force and applicable in matters within its competence, together with its regulations.

The Port Activities Law No. 24,093 states that all aspects related to the authorization, administration and operation of existing or to be created state and private ports in the territory of the Republic are governed by its provisions, and that all commercial or industrial ports that involve international or interprovincial trade require authorization from the national State.

Article 20 of the aforementioned regulation establishes that the person responsible for each port, whatever its owner and classification, will be in charge of the maintenance and improvement of essential works and services, and that the aforementioned responsibility must be exercised in full accordance with the current regulations issued based on the police power exercised by the national State in these matters.

Article 21 of the aforementioned law stipulates that all ports covered by said law are subject to the controls of the competent national authorities in accordance with the respective laws, including, but not limited to, aspects related to labor legislation, collective bargaining and regulations concerning navigation and water transport, and without prejudice to constitutional powers





premises.

Article 22 of said law establishes that its Implementing Authority will be this NATIONAL AGENCY OF PORTS AND NAVIGATION (ANPYN), an autonomous entity that has the character of NATIONAL PORT AUTHORITY.

Furthermore, the law establishes that the functions and powers of this NATIONAL PORTS AND NAVIGATION AGENCY include, among others, and without prejudice to the powers of local authorities, (i) controlling, within the scope of port activity, compliance with the legal and regulatory provisions in force; (ii) ensuring that the holders of the port authorizations granted comply with the construction and operational projects that justified their application for authorization, and for this purpose, suspending the port authorizations until the required conditions are restored or canceling them definitively when objective and duly proven circumstances demonstrate the impossibility of their restoration; (iii) promoting and making effective the modernization, efficiency and economy of each of the ports of the National State; (iv) controlling, within the port area, compliance with any law or regulation whose application is the responsibility of a national authority; (v) exercise primary responsibility in environmental matters and establish the procedures for evaluating and issuing the corresponding declarations of suitability for works and activities in ports and waterways; and, (vi) apply the corresponding sanctions for the commission of the infractions provided for in Article 23, paragraph a) of Law No. 24,093.

Article 23 of the aforementioned regulation provides that the NATIONAL PORT AUTHORITY may apply corrective sanctions to port administrations, monitoring compliance with port technical and operational conditions.

That, in said understanding, Article 23 of Regulatory Decree No. 769 of April 19, 1993 empowers the NATIONAL PORT AUTHORITY to impose the sanctions of suspension of the authorization for a determined time or expiration thereof (cf. inc. a and b), establishing in turn that, in both cases, the National Port Authority may intervene in the administration of the sanctioned port when the public interest is compromised.

That, concomitantly, by the "Nation-Province Port Transfer Agreement", signed on September 25, 1992, between the then MINISTRY OF ECONOMY AND PUBLIC WORKS AND SERVICES, the then Liquidator of the former GENERAL PORT ADMINISTRATION STATE COMPANY and the PROVINCE OF TIERRA DEL FUEGO, ANTARCTICA AND SOUTH ATLANTIC ISLANDS, it was established that "... by virtue of the request made by THE PROVINCE [OF TIERRA DEL FUEGO, ANTARCTICA AND SOUTH ATLANTIC ISLANDS], the ownership, administration and operation of the port of Ushuaia is transferred free of charge, subject to compliance with the requirements agreed upon below...", among which are that "The port's revenues will be accounted for independently of general provincial revenues and will be applied exclusively to cover expenses of administration, operation, training or investments related to port activity that tends to ensure greater efficiency by optimizing costs and tariffs for the benefit of domestic and foreign trade."





That for the purposes of the provisions of Articles 4 and 9 of Law No. 24,093, at the time of signing the Agreement for the Transfer of the Port of Ushuaia between the NATIONAL STATE and the PROVINCE OF TIERRA DEL FUEGO, ANTARCTICA AND SOUTH ATLANTIC ISLANDS, guidelines and conditions were established that the assignee should comply with in order to the transfer of the provincial port domain.

That, in this order, the purposes and principles that were taken into account when the respective Transfer Agreement was signed cannot be overlooked and must be linked with those resulting from Law No. 24,093, since the transfer that was duly carried out was made within the framework of the aforementioned regulation.

That, for its part, the sanction of Provincial Law No. 1596 contradicts and distorts the prevailing regulatory provisions in national regulations and in the provisions of the Specific Agreement for the Transfer of the Port of Ushuaia from the orbit of the National State to the Province carried out within the framework of what was duly ordered by Article 11 of Law No. 24,093.

Furthermore, Agreement No. 26,714 for assistance to the Provincial Ministry of Economy involved the transfer of substantial funds belonging to the provincial treasury and corresponding to its 2024 financial surplus, in clear contradiction to what was agreed in clause 7 of the aforementioned Specific Transfer Agreement.

Furthermore, the inspection report carried out at the Port of Ushuaia reveals serious breaches of technical, operational and administrative obligations by the Provincial Directorate of Ports, including the structural deterioration of the commercial dock, deficiencies in safety and maintenance conditions, and the failure to provide an adequate Environmental Pollution Control Service; in addition to the allocation of port funds to purposes unrelated to the specific port activity.

That such facts fall under the offenses foreseen in subsections I, VI and VIII of Article 23 of Decree No. 769 of April 19, 1993, referring to non-compliance with technical and operational conditions, non-compliance or violation of the regulations of Navigation Safety, Port Security, Health and Environmental Protection, and Occupational Health and Safety.

At this point it is important to highlight that the port of Ushuaia is of utmost importance as a gateway for Antarctic cruise tourism, as well as being a key logistics hub for the region and a strategic point in Argentine territorial sovereignty.

Its multipurpose infrastructure allows it to receive passenger cruise ships, cargo vessels, fishing vessels and scientific ships throughout the year.

Its economic and social relevance is based on its function for local trade, the development of fishing activities and connectivity for the supply of goods and people to the province of Tierra del Fuego, through the import and export of the goods necessary for the region, functioning as a fundamental link for the connection between the continent and the aforementioned province.



Its location in the South Atlantic, south of the continent, and its proximity to Antarctica make it a key point for Antarctic supplies and the operation of scientific campaigns, as well as a port of strategic importance for the Argentine Republic, especially in the protection of its southern waters and territories.

In short, the Port of Ushuaia is fundamental not only for its strategic and geopolitical importance, but also for its role in logistics, regional trade and tourism, making it imperative to adopt urgent measures to quickly and expeditiously restore its current situation.

Given the seriousness of the violations found, it is appropriate to order the temporary suspension of the authorization of the Port of Ushuaia for a period of TWELVE (12) months, extendable by reasoned act, in accordance with the provisions of subsection a) of article 23 of Decree No. 769/1993, in order to enable its reorganization.

Furthermore, the aforementioned regulatory decree provides that the port authority may order –in addition to the suspension or expiration of the authorization– the intervention of the administration of the sanctioned port when the public interest is at stake.

The doctrine defines public interest as the plurality of social interests that the State assumes as its own, allocating resources and public powers to realize and defend them, thus differentiating them from private interest.

The public interest involved in this case is linked to the regulation, control and comprehensive management of the operations, infrastructure and services of the Port of Ushuaia, in order to ensure its efficiency, safety and sustainability, encompassing everything from maritime traffic and environmental safety to logistics and infrastructure development.

That, in view of the public interest involved in the case, there are sufficient grounds to order the immediate administrative intervention in matters of port infrastructure of the Port of Ushuaia for a term of TWELVE (12) months, extendable by reasoned act, in order to regularize and normalize the operational safety conditions in said Port and resolve the infrastructure deficit detected.

That the administrative intervention reaches the port infrastructure of operation, machinery, equipment and facilities and everything related to the port operation that is within the territorial jurisdictional delimitation, water bodies and adjacent aquatic spaces of the port jurisdiction that are defined in the planimetry that as Annex I (IF-2026-07199242-APN-GCT#ANPYN) forms an integral part of this measure.

This enforcement authority is aware of the consequences that the immediate implementation of the proposed suspension could have on the operation of the Port of Ushuaia, especially considering the strategic national importance of said port for Antarctic development, being a key point for the supply of the region, as well as the fact that the 2025-2026 Cruise season is underway.



Therefore, although the proposed measure is legally appropriate and fully justified in light of the considerations set forth throughout this resolution, this enforcement authority considers it pertinent to postpone the execution of the suspension ordered in order not to compromise normal port operations, since the principle of reasonableness, also applicable to administrative law, requires the adoption of measures that are graduated according to the particular circumstances of the case.

Notwithstanding the postponement of the execution of the suspension of the authorization ordered, the protection of the public interest and the safety of port operations are duly guaranteed through the administrative intervention ordered herein, as this measure will allow direct control of management, immediate adoption of the necessary corrective actions and guarantee the effective compliance with the technical, operational, environmental and safety conditions required by current regulations, without affecting the continuity of port operations.

The NATIONAL PORTS AND NAVIGATION AGENCY (ANPYN) is currently in the final stage of approving the different levels of its organizational structure, with some activities remaining to be carried out for these purposes and, concomitantly, is in full integration of this, forming its dependencies and distribution of functions, which is why it is evident that it is not entirely operational, currently requiring the specific technical collaboration of the GENERAL PORTS ADMINISTRATION SINGLE-PERSON PUBLIC LIMITED COMPANY (AGP SAU).

Furthermore, the NATIONAL PORTS AND NAVIGATION AGENCY (ANPYN) is not only the legal successor of the former UNDERSECRETARIAT OF PORTS AND WATERWAYS and the GENERAL PORTS ADMINISTRATION SINGLE-MEMBER PUBLIC LIMITED COMPANY (AGP SAU), but has also been assigned new powers that imply a greater administrative burden and responsibilities, such as the authorization of ports, primary responsibility in environmental matters, and acting as the grantor of the Concession Contract for the maintenance, signaling, buoyage and hydrological control of the Main Waterway

– declared a public service by Decree No. 699 of August 5, 2024 – and for the port terminals of Puerto Nuevo – Buenos Aires, among others.

That, without prejudice to the foregoing, the GENERAL ADMINISTRATION OF PORTS SINGLE-PERSON PUBLIC LIMITED COMPANY (AGP SAU) has all the background, resources and specialized technical expertise related to port administration and operation.

Therefore, in this context, it is appropriate to authorize the TECHNICAL COORDINATION MANAGEMENT of this Agency to request from the GENERAL PORTS ADMINISTRATION SINGLE-PERSON PUBLIC LIMITED COMPANY (AGP SAU) all the specific and necessary technical collaboration for the fulfillment of the procedures inherent to the intervention that is intended to be arranged through this Resolution, as well as its assistance and cooperation for obtaining the goods and other resources indispensable for such purposes, including everything related to the administration of the funds whose management is linked to the operation and exploitation of the Port of Ushuaia.

Furthermore, it is appropriate to designate to a higher rank the personnel listed in Annex II of this measure, who – for this purpose – will make use of the conventional leave specifically provided for these





designations, empowering the LEGAL AND ADMINISTRATIVE COORDINATION MANAGEMENT to arrange for the designation of all additional personnel that may be necessary.

The measure ordered does not imply a transfer of personnel or changes in existing employment relationships, but rather the temporary provision of suitable personnel to guarantee the provision of port services.

That, likewise, in accordance with the foregoing considerations, it is deemed appropriate to authorize the TECHNICAL COORDINATION MANAGEMENT of this Agency to request the collaboration and intervention of the CUSTOMS COLLECTION AND CONTROL AGENCY and the ARGENTINE NAVAL PREFECTURE so that, within the framework of their respective powers, they may adopt the measures that are necessary to enforce the one proposed to be adopted through this document.

Furthermore, in order to contribute to efficient management and in the event that the administrative intervention ordered to be adopted by this measure cannot be properly executed, it is also considered necessary to authorize the aforementioned TECHNICAL COORDINATION MANAGEMENT to make effective the suspension of the authorization of the Port of Ushuaia, Province of Tierra del Fuego, Antarctica and South Atlantic Islands, for a term of TWELVE (12) months, extendable by reasoned act, in accordance with the provisions of subsection a) of article 23 of Regulatory Decree No. 769 of April 19, 1993.

Once the TWELVE (12) month period has expired, which may be extended by a duly justified act, and after verification of the regularization of the current situation, it will be assessed whether it is appropriate to lift or maintain the sanctions provided herein.

That the TECHNICAL COORDINATION MANAGEMENT has taken the intervention of its respective competence.

That the Permanent Legal Service has taken action within its competence.

This measure is issued in the exercise of the powers conferred by Article 22 of Law No. 24,093 of June 3, 1992, Article 23 of Decree No. 769 of April 19, 1993 and Decree No. 3 of January 3, 2025.

Therefore,

THE EXECUTIVE DIRECTOR OF THE NATIONAL PORTS AND NAVIGATION AGENCY

RESOLVE:

ARTICLE 1.º- The authorization of the Port of Ushuaia granted by Decree No. 2404/2002 is hereby suspended for a term of TWELVE (12) months, extendable by reasoned act, in accordance with the provisions of subsection a) of Article 23 of Decree No. 769 of April 19, 1993.

ARTICLE 2.º- The administrative intervention in matters of port infrastructure of the Port of Ushuaia is hereby ordered, for a term of TWELVE (12) months, extendable by reasoned act, which shall be in charge of the operational, technical and administrative management of said port, and must guarantee the continuity of minimum services, the



port security and compliance with current regulations.

The administrative intervention ordered applies purely and exclusively to the port infrastructure, machinery, equipment and facilities and everything related to port operations that is within the territorial jurisdiction, water bodies and adjacent aquatic spaces of the port jurisdiction subject to this agreement, which are defined in the planimetry that is attached as Annex I (IF-2026-07199242-APN-GCT#ANPYN) is an integral part of this measure.

In carrying out its management, the Implementing Unit of this measure must strictly comply with the instructions given to it by the NATIONAL PORTS AND NAVIGATION AGENCY.

This Implementing Unit must submit reports detailing its performance, in the manner and frequency determined by this National Port Authority.

ARTICLE 3°.- The execution of the sanction provided for in article 1° is suspended in view of the grounds set forth in the considerations of this measure, and without prejudice to what is resolved in article 8°.

ARTICLE 4°.- The TECHNICAL COORDINATION MANAGEMENT of the NATIONAL PORTS AND NAVIGATION AGENCY is established as the Executing and Assistance Unit of the intervention provided for in the preceding articles, which may issue the necessary regulations to make the measures provided operational.

ARTICLE 5°.- The TECHNICAL COORDINATION MANAGEMENT of the NATIONAL PORTS AND NAVIGATION AGENCY is authorized to request, on behalf of the NATIONAL PORTS AND NAVIGATION AGENCY, from the GENERAL PORTS ADMINISTRATION SINGLE-PERSON CORPORATION (AGP SAU) all the specific and necessary technical collaboration for the fulfillment of the procedures inherent to the intervention provided for in Article 2 of this Resolution, as well as its assistance and cooperation for obtaining the goods and other resources indispensable for such purposes.

It is hereby established that this collaboration may encompass all matters relating to the administration of funds whose management is linked to the operation and exploitation of the Port of Ushuaia. To this end, the General Port Administration, a single-member limited liability company (AGP SAU), will make available all the administrative and financial resources under its purview that are necessary for the fulfillment of the assigned task.

ARTICLE 6°.- The personnel listed in Annex II (IF-2026-07225453-APN-GCT#ANPYN) of this measure are hereby designated to a higher rank position, and will – for this purpose – make use of the conventional leave specifically provided for these designations.

The measure ordered does not imply a transfer of personnel or changes in existing employment relationships, but rather the temporary provision of suitable personnel to ensure the provision of port services.



Likewise, the LEGAL AND ADMINISTRATIVE COORDINATION MANAGEMENT is authorized to carry out all measures necessary to provide the personnel required to comply with the provisions herein.

ARTICLE 7°.- The TECHNICAL COORDINATION MANAGEMENT of the NATIONAL PORTS AND NAVIGATION AGENCY is authorized to request the collaboration and intervention of the CUSTOMS COLLECTION AND CONTROL AGENCY and the ARGENTINE NAVAL PREFECTURE so that, within the framework of their respective powers, they may adopt the necessary measures for the faithful compliance with this measure.

ARTICLE 8°.- The TECHNICAL COORDINATION MANAGEMENT is authorized to immediately implement the suspension of the authorization of the Port of Ushuaia, Province of Tierra del Fuego, Antarctica and South Atlantic Islands provided for in article 1°, in the event that the administrative intervention ordered by article 2° of this measure cannot be properly executed.

ARTICLE 9°.- It is hereby ordered that, once the TWELVE (12) month period established has expired and after verification of the regularization of the situation, the appropriateness of lifting or maintaining the measures provided herein will be evaluated.

ARTICLE 10.- This resolution will come into effect on the day following its issuance.

ARTICLE 11.- Notify the present measure to the CUSTOMS COLLECTION AND CONTROL AGENCY and the ARGENTINE NAVAL PREFECTURE.

ARTICLE 12.- Notify the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands, the Provincial Directorate of Ports of the provisions of this measure and the public service providers so that the continuity of these services is maintained.

ARTICLE 13.- Notify the Pension Fund of the Province of Tierra del Fuego, Antarctica and the South Atlantic Islands of the provisions so that it may inform how the contributions of the workers mentioned in Annex II (IF-2026-07225453-APN-GCT#ANPYN) should be made during the execution of this measure.

ARTICLE 14.- Communicate, publish in the Official Gazette, give to the NATIONAL DIRECTORATE OF THE OFFICIAL REGISTER and file.

Iñaki Miguel Arreseyygor

NOTE: The Annex(es) that form part of this Resolution are published in the online edition of the BORA  
- [www.boletinoficial.gob.ar](http://www.boletinoficial.gob.ar)-

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