

Economic Watch

Pensions

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Economic Analysis

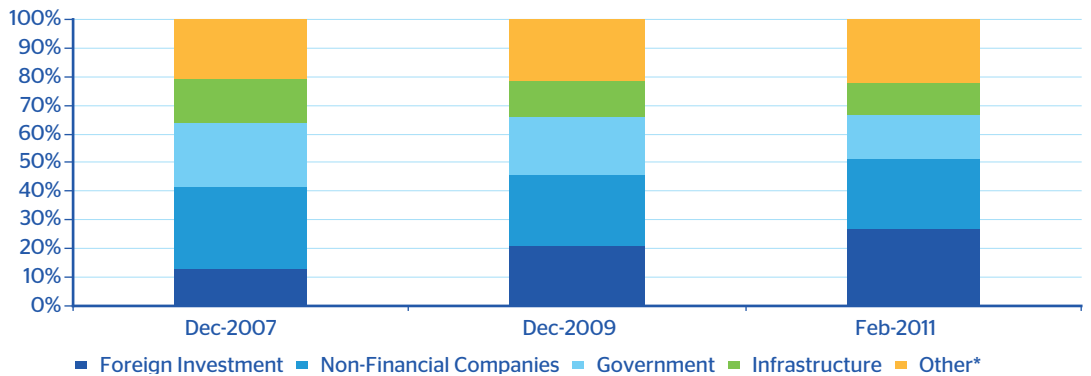
Rosario Sánchez
rdpsanchez@grupobbva.com.pe

Pension funds and infrastructure in Peru

- **Peru still has a high infrastructure deficit**, which can be financed using pension fund resources.
- **The slow process of awarding concessions leads to a lack of projects to finance**, and thus to an accumulation of committed resources that are still awaiting investment.
- **Significant efforts have been made in recent years to channel investments into the infrastructure sector** through a series of measures that range from the creation of financial instruments (an infrastructure trust and infrastructure fund) to regulatory changes.
- **There is still much room for improvement in regulatory matters.** These changes could range from alterations in the concession process to more specific regulations covering limits to investment in pension funds.

Chart 1

Participations in investment by pension funds (%)



* These include financial companies, fund administrators and securitization companies
Source: SBS and BBVA Research

Infrastructure financing through pension funds is still insufficient

Although Peru has improved 18 positions on the infrastructure quality ranking of the Global Competitiveness Index prepared by the World Economic Forum (from 110th to 92nd in 2009-2011¹, infrastructure development in the country remains among the poorest in the world, with an investment gap of an estimated USD 37,760m in 2008-2018, particularly in the transportation and electricity sectors². This situation could limit economic growth, generate problems of competitiveness and restrict improvements in social welfare. The resources gathered by pension funds are thus an attractive alternative for financing infrastructure investment projects, from the public-sector point of view, that of fund members and the country in general. The advantages of this participation are as follows: (1) It would free the government budget and redirect it to other urgent items; (2) It would improve the funds' investment profile; and (3) It would boost the quality and quantity of the infrastructure needed to sustain Peru's growth.

According to data from the Superintendency for Banking, Insurance and AFPs (SBS), at the close of February³ investment by pension funds in infrastructure accounted for 11.1% of their total portfolio assets, i.e. around USD 3,416m. The investment was focused mainly on energy (60%), and to a lesser extent on transportation (21%) and telecommunications (18%).

Table 1

Companies and infrastructure investment projects in which the AFPs have invested, as of February 2011.

Sector	Companies investment projects and investment fund
Telecommunications	Mobile Telefónica, Mobile América and Telefónica of Perú
Electricity Distribution	Luz del Sur, Edelnor and Larraín Vial Investment Fund
Electricity Generation	Cahua, Duke Egenor, Edegel, Enersur, Electroandes Larraín Vial Investment Fund, Kallpa, Southern Cone y AC Captales Investment Fund, Inkia Energy
Electricity Transmission	Consorcio Transmántario, Larraín Vial Investment Fund Red de Energía del Perú, Aguaytía and AC Captales Investment Fund
Hydroenergy Projects	Consorcio Trasvase Olmos y Fondo de Inversión de Larraín Vial
Hydrocarbons	Relapasa, Gas Transportation of Perú, Perú LNG, Plus Camisea, Hunt Oil, Maple Energy PLC, AC Captales Investment Fund Larraín Vial I42American Energy Investment Fund
Transportation: Road Network	IIRSA Sur (Sections 2, 3 y 4), IIRSA Norte, Interoceánica V
Transportation: Railways	AC Captales Infrastructure Investment Fund
Transportation: Aeronautical	Lima Airport Partners y AC Captales Investment Fund
Sanitation	Consorcio Agua Azul, AC Captales Investment Fund and Infrastructure Trust.

Source: SBS

Despite the fact that this represents an increase of around USD 440m over the last two years, the share of assets for infrastructure has fallen considerably (16.8% in February 2009). As portfolio components have shifted over this period, investments abroad have gained more weight (from 17% to 27% of the fund), encouraged by the increased limits established by the Central Bank⁴. Local companies have also been more active, particularly in the mining sector and industries such as food and drink and cement, among others.

Currently 73% of the infrastructure portfolio (around USD 2,483m) is channeled indirectly through the purchase of shares and corporate bonds in companies related to this sector and through three existing mutual funds (by initial private share offers):

1. <http://www.weforum.org/reports/global-competitiveness-report-2010-2011-0?ol=1>

2. El reto de la infraestructura al 2018 "La brecha de inversión en infraestructura en el Perú 2008". IPE, August 2009.

3. For statistics, see http://www.sbs.gob.pe/O/modulos/JER/JER_Interna.aspx?ARE=0&PFL=0&JER=150

4. In February 2009, the limit established by the Central Bank for investment by pension funds abroad was 20% of their portfolio. Currently the limit is at 30% <http://www.bcrp.gob.pe/docs/Transparencia/Normas-Legales/Circulares/2010/Circular-030-2010-BCRP.pdf>

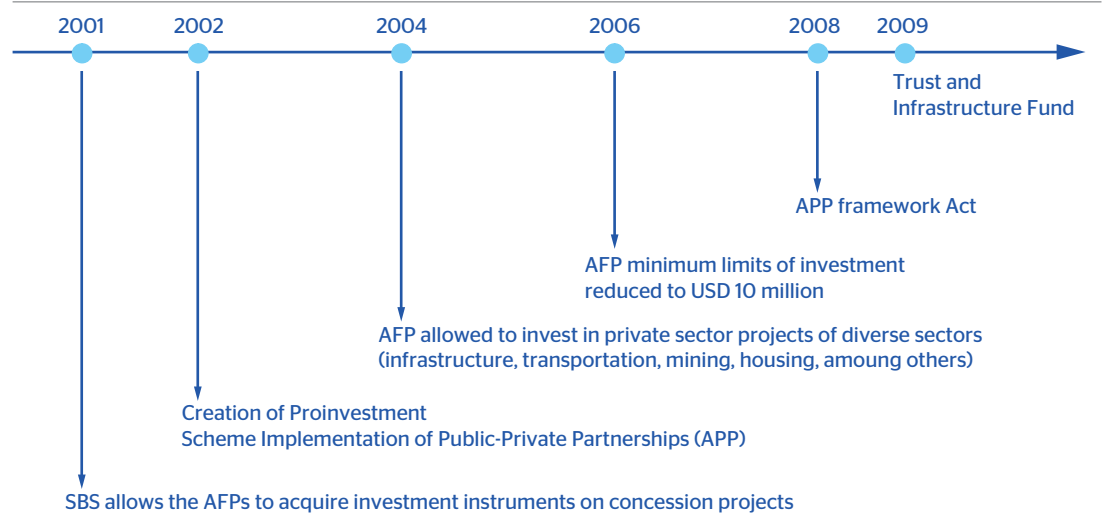
- **Fondo de Inversión en Infraestructura, Servicios Públicos y Recursos Naturales de AC Capitaless:** created in September 2004 for a 30 year period, and committed resources of USD 50m. It finances projects at any stage of development through capital allocations. Currently, the value of investments is around USD 55m, with the only participants in the fund being AFPs. It participates in major projects, including three electric transmission lines, the railroad in the central area, the Jorge Chávez airport, air freight terminals and an oil and biofuel refinery.
- **Fondo de Inversión Larraín Vial Energía Latinoamericano:** this fund is focused on assets related to the energy sector in Latin America (mainly Chile, Peru and Colombia). It participates in the development of projects and companies in different areas of electricity generation (water, gas and coal) and aims to maintain control of these companies. Currently it has around USD 100m and aims to reach a total of USD 150m. It has a duration of 12 years, which is extendible for periods of two years with the agreement of its contributors. In Peru, the fund has invested in a natural gas plant in Terochilca, which will install up to 200 MW of generation capacity in the south of Lima. Terochilca has already been awarded an 8-year USD 450m energy supply contract with the electricity distributor Edelnor.
- **Sigma Fondo de Inversión en Infraestructura:** it was created a few months ago and by the second half of the year expects to have a committed capital of USD 200m, with a high level of participation by AFPs. The fund's operation period is 12 years, with a target return of between 15% and 20%. Its main investment will be in greenfield projects through capital contributions and a maximum investment per project of 40% of the fund.
- **Fondo de inversión en infraestructura:** created in February 2009 by the Ministry of Economy and Finance, with a government contribution of USD 100m through Cofide⁵. In September 2009, the fund's management was awarded to a consortium formed by Brookfield Asset Management and AC Capitaless SAFI. The process of obtaining authorization from the Superintendency of Banking, Insurance and AFPs (SBS) to be included on the list of eligible investments for pension funds ("AFPable") lasted around 10 months. Currently it has some USD 440m committed (USD 200m by AFPs, USD 100m by Brookfield, USD 100m by Cofide and USD 40m by CAF). Although no investments have actually been made yet, some infrastructure projects that could guarantee a good return have been identified.

The remaining 27% has been invested directly. This includes corporate bond issues for projects in the telecommunications and the energy sector, as well as other debt instruments for highway projects. One example of this is the financing used for the IIRSA Sur highway. As this work progresses, the Ministry of Transport issues annual works payment certificates (CRPAO), which are used by the concessionaire to gather funds on the capital markets. Another form of direct finance is the infrastructure trust. This was created by the initiative of the AFPs as part of the Economic Stimulus Plan designed by the government during the international financial crisis. The trust invests in debt instruments for infrastructure projects that are previously approved by the Investment Committee (which is formed by a representative from each of the four AFPs). So far it has participated in two projects. The most recent (March 2011) has been an investment of around USD 125m on the Taboada project, and previously in May 2010 there was an investment of around USD 35m on the Huascacocha project.

5: Under the Investment Fund Law, passed by Legislative Decree No. 862, the executive authorized the Ministry of Economy and Finance to contribute capital of USD 100m to Corporación Financiera de Desarrollo (Cofide) to enable it to participate in setting up the Infrastructure Investment Fund.

Chart 2

Main regulatory changes over the last decade



* Includes financial companies, fund and administrators and securitized bonds
Source: BBVA Research

Both projects belong to the sanitation sector. They are developed under the public-private partnership (PPP) scheme, with the government moving in if the company cannot repay its obligations. The trust participates by acquiring advance works certificates (CAO), which are self-financed with the payment flows from Sedapal customers⁶.

Legal framework for pension fund investment in infrastructure

The participation of AFPs in financing infrastructure began in October 2001 through Resolution SBS No. 725-2001. This law enabled the Superintendency for Banking, Insurance and AFPs to issue authorization for them to acquire investment instruments (securities representing credit rights, preference shares and common stock) on projects for which the State had granted concessions and whose total amount is not under USD 50m, or its equivalent in local currency. Later, Resolution SBS No. 643-2004 reduced this amount to USD 20m, and also authorized the AFPs to participate in private sector projects in a variety of areas (infrastructure, housing, the use of natural resources, and others whose nature requires medium and long-term finance). In 2006 the range of investment instruments for projects awarded in which the AFPs could participate was extended. First it included debt securities (through Resolution SBS No. 440-2006, published in March); then it again reduced the committed amount of investment to USD 10m (Resolution SBS No. 1152-2006 of September 2006). All the changes introduced over this period aimed at generating, promoting and boosting investment in various medium and long-term instruments, particularly in infrastructure. Chart 3 sums up the main changes in the regulatory framework over the last decade⁷.

Limitations and main efforts carried out to promote investment in infrastructure

The legal framework in Peru promotes investment in infrastructure through a scheme of concessionary contracts that in general last between 20 and 30 years. This scheme may be through a government auction, a public-private partnership (PPP) or simply private initiative. By its nature and due to all the considerations and problems that arise (bureaucracy, political considerations, delays, problems of competence, controllership, and legal matters, among others), these processes tend to be fairly long-drawn out, and on average last more than five years for a concession⁸. The slow procedure involved in approving projects restricts the number offered. The

6: Servicio de Agua Potable y Alcantarillado de Lima, the company supplying drinking-water and sewage services in Lima. A government-owned company in private law set up as a public limited company.

7: For a more detailed analysis, see Chapter 7 of the book "A balance and projections of the experience in infrastructure of pension funds in Latin America" published by BBVA Research in 2010.

8: According to a study carried out by Payet 2009 based on six randomly selected infrastructure projects.

results can be seen in the availability of resources committed to infrastructure by the different mutual funds that have not been able to be invested yet. There have also been restrictions on the government budget side, specifically in the case of co-financed PPPs. This is because co-financing commitments cannot exceed 7% of GDP (as of February 2010, these commitments were equivalent to around 6% of GDP).

Despite these limitations, in recent years, significant efforts have been made to channel investments into the infrastructure sector through a series of measures that range from the creation of financial instruments (such as the infrastructure investment and trust funds mentioned in the previous section) to regulatory changes. On the regulatory side the changes introduced over recent years aim to reduce the bureaucratic obstacles and thus the time taken to approve these projects. Among the main recent regulatory changes are the following:

- Prioritization of infrastructure investment projects: Urgent Decrees Nos. 001-2011 and 002-2011 issued by the government have prioritized 33 infrastructure projects for 2011. This simplifies the legal demands, including environmental certificates, transfer of land and publicly-owned buildings, among others. This measure was also applied in previous years, with positive results in terms of reducing the time taken to complete the process.
- Relief from the application of the public private procurement methodology to investment projects prioritized for 2011. This measure is for projects declared as of great importance and with costs over 100,000 UI⁹, if they require co-financing of more than 30%.
- Changes to the law on electricity concessions to speed up the procedure affecting the studies needed to construct new hydroelectric projects.
- Creation of an Investment Committee for ports that will promote private investment in the terminals administered by the National Ports Authority.
- Greater flexibility in environmental demands affecting hydroelectric plants. If this law is approved, it will no longer be necessary to have an Environmental Impact Study (EIS) approved before obtaining the final concession for the construction of a hydroelectric plant. Instead, the EIS will be required when the construction of the project is already underway. This law is currently being debated in congress and is awaiting approval.

Despite the regulatory progress and new investment initiatives and instruments over recent years, infrastructure investment is still not at the levels required to close the gap that Peru currently suffers from. In fact, the rapid growth in pension funds, and thus the resources they could invest in infrastructure, demands new changes that can boost the availability of infrastructure projects. There are still regulatory and legal areas that can be improved to create incentives and promote financing for infrastructure projects. Below we outline some of the areas that we believe could be improved:

- Reducing the time taken to process concessions. Currently these last on average more than five years and involve more than 20 government departments. Making processes run in parallel (currently they are sequential) and limiting the departments involved could help reduce the time taken to grant these concessions.
- Creating specific individual limits by asset: current law establishes limits to investment by pension funds according to the issuer, issue, category of instrument (fixed-income, equity, among others). Investments by pension funds in infrastructure have to adapt to these limits, according to the instrument invested in (the infrastructure fund is considered within the equity limits, while the trust is considered within the fixed-income limits). We believe it would be of great help to create specific limits for infrastructure investment that are not dependent on the limits for other investment instruments.
- Counting not only investments made by pension funds, but also the amounts committed to projects. In this way when payment is actually made the investment structure would not be greatly affected.
- Establishing clear regulations that would make it easier for an instrument to be eligible as a pension fund investment ("AFPeable"), particularly in the case of infrastructure.

9. Unidad Impositiva Tributaria (UIT), currently worth PEN 3,600.

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This report has been produced by the Pensions Unit:*Financial Systems and Regulatory Chief Economist***Santiago Fernández de Lis**
sfernandezdelis@grupobbva.com*Pensions Chief Economist***David Tuesta**
david.tuesta@grupobbva.com**Javier Alonso**
javier.alonso.meseguer@grupobbva.com**Liliana Castilleja**
liliana.castilleja@bbva.bancomer.com**Soledad Hormazábal**
shormazabal@grupobbva.cl**María Claudia Llanes**
maria.llanes@bbva.com.co**Rosario Sánchez**
rdpsanchez@grupobbva.com.pe**BBVA Research***Group Chief Economist*
Jorge Sicilia*Chief Economists & Chief Strategists:**Financial Systems and Regulatory:*
Santiago Fernández de Lis
sfernandezdelis@grupobbva.comFinancial Systems
Ana Rubio
arubiog@grupobbva.comRegulatory Affairs
María Abascal
maria.abascal@grupobbva.comPensions
David Tuesta
david.tuesta@grupobbva.com*Spain and Europe:*
Rafael Doménech
rdomelech@grupobbva.comSpain
Miguel Cardoso
miguel.cardoso@grupobbva.comEurope
Miguel Jiménez
mjimenezg@grupobbva.com*United States and Mexico:*United States
Nathaniel Karp
nathaniel.karp@bbvacompass.comMexico
Adolfo Albo
a.albo@bbva.bancomer.comMacro Analysis Mexico
Julián Cubero
juan.cubero@bbva.bancomer.com*Emerging Markets:*
Alicia García-Herrero
alicia.garcia-herrero@bbva.com.hk
Cross-Country Emerging Markets AnalysisAsia
Stephen Schwartz
stephen.schwartz@bbva.com.hkChina
Daxue Wang
daxue.wang@bbva.com.hk
India
Sumedh Deorukhkar
deorukhkar@grupobbva.comSouth America
Joaquín Vial
jvial@bbvaprovida.clArgentina
Gloria Sorensen
gsorensen@bbvafrances.com.arChile
Alejandro Puente
apuente@grupobbva.clColombia
Juana Téllez
juana.tellez@bbva.com.coPeru
Hugo Perea
hperea@grupobbva.com.peVenezuela
Oswaldo López
oswaldo_lopez@provincial.com*Financial and Economic Scenarios:*Financial Scenarios
Sonsoles Castillo
s.castillo@grupobbva.com
Economic Scenarios
Juan Ruiz
juan.ruiz@grupobbva.com*Market & Client Strategy:***Antonio Pulido**
ant.pulido@grupobbva.comGlobal Equity
Ana Munera
ana.munera@grupobbva.comGlobal Credit
Javier Serna
Javier.Serna@bbvauk.comInterest Rates, Currencies
and Commodities
Luis Enrique Rodríguez
luisen.rodriguez@grupobbva.com**Contact details:****BBVA Research**
Paseo Castellana, 81 - 7th floor
28046 Madrid (España)
Tel: +34 91 374 60 00 y 91 537 70 00
Fax: +34 91 374 30 25
bbvaresearch@grupobbva.com
www.bbvaresearch.com