

January, 2016

AMENDMENT OF REQUIREMENTS TO OBTAIN CHILEAN NATIONALIZATION

On January 8th 2016, Law N° 20,888 was published in the "Official Gazette", which modifies Decree Law N°747 of December 15th, 1925. The revised text was granted by Supreme Decree N° 5.142 dated October 13th, 1960 of the Ministry of Interior, stating the new requirements for obtaining Nationalization:

- Nationalization by Letter may be granted to foreigners who have turned 18 years old, have resided more than five years in Chilean territory and hold permanent residence.
- Nationalization by Letter may be requested by children of foreigners who have turned 14 years old, have resided in Chilean territory for more than five years, have the consent of their parent, guardian or legal custodian and have permanent residence.
- Minors under the age of 18, whose father or mother hold refugee status recognized by Chile may obtain Chilean nationality from the moment that at least one of their parents obtains the nationalization letter, without the need to fulfill any other legal requirements.
- Those born in Chile, who being the child of foreigners rendering services to their government, or children of nonresident foreigners, and opt to apply for Chilean nationality, based on Article 5°, N° 1° of the Political Constitution, should do it by means of a declaration stating that they choose Chilean nationality. Said declaration must be presented before the corresponding authority in Chile or diplomatic agent or consul abroad within one year from the date the applicant turns 18 years old, , and after the applicant proves that he/she meets at least one of the conditions stated in Article 5°, N° 1° of the Political Constitution.

In summary, the following changes have been made:

- The age requirement to be eligible to request Nationalization by Letter was reduced from 21 to 18 years of age.
- The possibility to request Nationalization by letter was extended to foreigners' children who have turned 14 years old and have resided in Chile for more than five years.
- The requirement stating that a foreigner must have "continuous" residence for five years or more was eliminated.
- The possibility to obtain Nationalization for foreigners' children under 18 years old, whose father or mother have a refugee status recognized by the Chilean Authorities was added.



If you have any questions regarding the matters discussed in this memorandum, please contact your regular Carey Coordinator or the following contacts

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