

LAW NO. 21.729, WHICH AMENDS THE GENERAL LAW OF TELECOMMUNICATIONS WAS PUBLISHED IN THE OFFICIAL GAZETTE

On February 13, 2025, Law No. 21,729 (hereinafter, the “Law”), was published in the Official Gazette, which amends Law No. 18,168, General Law of Telecommunications (hereinafter, the “LGT”), in matters of registration and individualization of users of telephone services.

The amendments introduced by the Law consist, on one hand, in the incorporation of two new obligations for public telephone service concessionaires and for data transmission concessionaires and, on the other, the inclusion of a new crime of public action.

The new obligations incorporated by the Law to the LGT consist of the following:

- Pursuant to the new article 26 quater, public telephone and data transmission service concessionaires **must maintain an updated registry, which information is stored for a period of five years**, and must contain the identity of its subscribers or users including the information that is necessary for their correct individualization, such as full name, address, identity card or passport number, as well as the international mobile equipment identity (IMEI), the mobile station of the integrated services digital network (MSISDN) and the international mobile subscriber identity (IMSI).
- **The Undersecretary of Telecommunications may require other information through a technical standard to be issued within six months from the date of publication of this law in the Official Gazette**, which will also provide for mechanisms to ensure the updating of its registry.
- It is expressly stated in the LGT that **the data collected by the aforementioned concessionaires by virtue of this new article may not be used for purposes other than those provided for in the LGT**, and, likewise, must be treated in accordance with Law No. 19,628 on the protection of private life.
- In addition, a new article 26 quinquies is added, by virtue of which

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the aforementioned concessionaires will be **obligated to finance a system that “allows the effective blocking of stolen, theft, or lost devices”**.

On the other hand, a new public action crime is incorporated to the LGT which consists of the following:

- A new paragraph h) is added to Article 36 B of the LGT, **which establishes the crimes of public action, which criminalizes the conduct of adulterating or modifying the IMEI (understood as the international identity of the mobile equipment), punishing such conduct with a minimum term of imprisonment and a fine of 11 to 15 monthly tax units.**

The Law does not have a legal vacancy period, **so it is in force since its publication in the Official Gazette**, although the Undersecretary of Telecommunications has yet to issue the aforementioned technical standard.

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