

March 23, 2020

LEGAL ALERT

Measures taken by the Chilean National Customs Service regarding Covid-19

Regulation

In the context of the declaration of a State of Catastrophe, the National Customs Service (“NCS”) issued Exempt Resolution No. 1,179 dated March 18, 2020, by means of which the NCS adopted 13 measures to facilitate foreign and domestic trade operations electronically, and to protect the health of people involved in such operations.

These measures became effective on March 20, 2020 and will remain in force and effect until the issuance of a reasoned resolution by the National Director of the NCS to terminate them. Below you will find a summary with certain relevant measures:

- Authorization, upon request of the customs agent, of physical inspections of the goods (aforo) without the presence of customs agents;
- Authorization to send electronically Bill of Lading (B/L) exchanges and their corrections. The latter is subject to the collection of the original B/Ls by the transporter and its attachment to the filing within 30 calendar days;
- Authorization to grant by e-mail shipment PoA (mandatos de despacho) to the relevant customs agent, detailing the shipment referred to in such PoA. The principal/representative shall ratify this PoA pursuant to Article 197 of the Customs Regulation (i.e. special PoA granted by public deed or other means authorized by the National Director of the NCS; or endorsement of B/L, consignment notes, air waybills or other document that serves as such), within 15 days from the expiration of Exempt Resolution No. 1,179;
- Authorization for remote work for customs agents, and such places would constitute their regular offices;
- Extension of the customs card until September 30, 2020; and
- Authorization for withdraw goods from customs warehouses by customs agencies other than those responsible for clearance, by means of a PoA issued by the customs agent responsible for clearance to the one who will withdraw such

goods. The principal must previously authorize or ratify this operation.

Additionally, in the Official Letter No. 67, dated February 11, 2020, the NCS instructed customs services to avoid carrying out sanctioning procedures for regulatory breaches caused by Covid-19, in particular cases, and after a case-by-case analysis.

Import or export of goods

To date, there is no formal resolution issued by the NCS restricting the import of goods into Chile. Nevertheless, considering the regulations and/or measures adopted by the Chilean health authority, note the NCS could issue particular import regulations related with Covid-19.

Market practice issues

The NCS has adopted the use of masks in the port and aviation sectors. Additionally, there has been a strengthened control on truckers/transporters, entering into Chile after the borders closure on March 18, 2020.

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