

March 29, 2018

LEGAL ALERT

New Chilean State Corporation named Infrastructure Fund is created

On March 24, 2018, a law for the creation of a corporation named “Infrastructure Fund Inc.”, hereinafter the “Fund” was enacted.

Social purpose. The Fund’s purpose is to invest, develop and finance infrastructure projects through non-related third parties as well as the development of its ancillary services.

Contracting schemes. The Fund can only develop infrastructure projects through non-related third parties. The projects can be developed through different mechanisms, being the preferred one, the concession scheme. The projects to be tendered will be governed by the rules of the Public Works Concessions Act.

The concessionaries must be incorporated in Chile as special purpose vehicles and such will be governed under the rules of listed corporations for information disclosure purposes.

Concessions granted by the Fund cannot have a term longer than fifty years.

Equity. The Chilean State will have 99% of the corporation’s equity and the Production Development Corporation (Corfo) will have 1% of the equity.

Administration. The Fund’s administration will be subject, where applicable, to the rules of Title IV of Act 18.046, regarding the administration of publicly held corporations, and the rules of Act 21.082 that will prevail over the others.

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