

## **SPECIAL REQUIREMENT IMPOSED BY THE CIVIL AERONAUTICAL BOARD (JUNTA DE AERONÁUTICA CIVIL) TO NON-REGULAR FLIGHTS OPERATIONS IN THE CONTEXT OF THE COVID-19 SANITARY EMERGENCY.**

On March 25, 2020, and as the Chilean authority holding the superior direction of the civil aviation, the Civil Aeronautical Board (Junta de Aeronáutica Civil) issued the resolution [Resolución Excenta N°280 \("RE280"\)](#).

The RE280 was issued based on the need to reduce the risks associated to the spreading of the Covid-19 virus through the air transport during the sanitary emergency period. Hence, through this resolution, the aeronautic authority imposed a unique measure permitting to implement a more strict control over the arrival of international flights under non-regular operations' regimes to Chile. Such measure consists in requesting all air operators which flights land in Chile under a non-regular flight authorization regime, to obtain a special permit issued by the Chilean Ministry of Foreign Affairs, either through diplomatic or consular authorities, or through other means determined by such Ministry.

Finally, RE280 states that such requirement will be in force for a 15-day period since the date in which the resolution was issued, with term extension possibilities based on the subsequent evolution of the sanitary emergency. In connection with this point, it is worth noticing that according to Law N°19,880, the administrative resolutions applicable to an indeterminate number of individuals shall be effective upon their publication in the Official Gazette, which occurred –in connection with RE280- on April 6, 2020. Consequently, and despite of the express reference to this matter in RE280, a conservative approach regarding the application term of this measure would imply to fulfill this requirement for a 15-day period counted as from April 6, 2020.

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