

November, 2019

➤ LAW ON DIGITAL TRANSFORMATION OF THE ADMINISTRATION

On November 11, Law No. 21,180 on Digital Transformation of the Administration was published. Its purpose is to initiate the process of digitalization and modernization of the administrative procedures followed before the Chilean Government administration bodies.

Among the main innovations that shall be incorporated under this new law, we can highlight the following:

1. It shall be mandatory for any procedure to be carried out before a public entity through **electronic means** which shall be maintained by each public entity in a public **electronic file**. Only in exceptional cases, established by law, can physical procedures be carried out.
2. **Communications** made between administrative entities must be made through **electronic means**, sending electronic copies thereof to interested participants within the administrative procedure.
3. Any document in an administrative procedure must be **electronically submitted**. Paper documents must be **digitized**, and their authenticity and integrity shall be corroborated in the manner set forth by future regulations. Electronic documents shall be governed by provisions of Law No. 19,799 on **electronic signature**.
4. **Power of attorney** to act on behalf of a third party in an administrative procedure must be recorded in a document signed by **electronic signature**. Power of attorney granted by advanced electronic signature or public deed shall be required solely when the solemnity of the act requires so.
5. In regard to notifications, a **digital addresses system** is introduced, which shall be comprised by email addresses indicated by those interested of participating in an administrative procedure. This system shall be kept by the Registration and Identification Civil Service, pursuant to regulations that shall be issued in the future.

The entry into force and the gradual application of the Law on Digital Transformation of the Administration shall be determined by regulations that must be issued within one year. However, the maximum period for its full entry into force and application is within five years as of its publication.



If you have any questions regarding the matters discussed in this news alert, please contact the following attorneys or call your regular Carey contact.

Ignacio Gillmore
Partner
+56 2 2928 2612
igillmore@carey.cl

Camilo Lledo
Associate
+56 2 2928 2482
clledo@carey.cl

Sergio Cifuentes
Associate
+56 2 2928 2482
scifuentes@carey.cl

This news alert is provided by Carey y Cía. Ltda. for educational and informational purposes only and is not intended and should not be construed as legal advice.

Carey y Cía. Ltda.
Isidora Goyenechea 2800, 43rd Floor.
Las Condes, Santiago, Chile.
www.carey.cl