

August, 2015

TEMPORARY RESIDENCE VISA – CIVIL UNION

The Chilean Immigration Department, in use of its faculties, has created a new visa category that allows its holder to reside and carry out any type of licit remunerated activity in Chile.

As such, any person who:

- Celebrates a marriage abroad, with a Chilean national or foreigner residing in Chile (or requesting a Visa) who cannot register their marriage in Chile as such; or
- Celebrates an agreement or civil union, either in Chile or abroad, with a Chilean national or foreigner residing in Chile (or requesting a Visa).

May request a Temporary Residence Visa – Civil Union, as main holder. This visa includes same sex marriages, agreements or civil unions.

In order to request this type of visa, the applicant must provide, among others, the corresponding marriage certificate, agreement certificate or civil union certificate, duly legalized before the corresponding Chilean Consulate abroad with jurisdiction over the place of issuance of said document. Likewise, if the document is issued in any language other than English, Spanish, French, Italian or Portuguese, an official translation must be accompanied.

Jointly with the visa application, which takes approximately three to four months to be approved, it is possible to request a Special Work Permit which will allow the applicant to carry out remunerated activities in Chile once issued (30 – 45 days following the application) until the visa is approved.

The Temporary Residence Visa is granted for a one-year period, after of which the holder may either renew it once or else, opt for Permanent Residence in Chile provided he/she complies with the requirements set forth by the authorities. Should the holder renew the Temporary Residence Visa, upon expiration of said renewal, he/she will be obligated to request Permanent Residence in Chile.



If you have any questions regarding the matters discussed in this memorandum, please contact your regular Carey Coordinator or the following contacts.

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4 *Nuevo mecanismo de operación en convenios marco pro pymes*

Para facilitar la participación de pequeñas y medianas empresas en el mercado público, se dispone que en las bases de licitación de Convenios Marco, podrá omitirse la obligación de presentar garantías de seriedad de las ofertas y de fiel cumplimiento a los contratos.

Sin embargo, tratándose de adquisiciones superiores a 1.000 UTM, las entidades deberán solicitar la entrega de garantía de fiel cumplimiento.

5 *Plazos prudentes para los pagos a proveedores*

El nuevo artículo 79 bis del reglamento establece que los plazos de pago a los proveedores no podrán ser superiores a 30 días corridos desde la recepción de la respectiva factura o instrumento tributario de cobro, por parte de la administración licitante. Podrán establecerse plazos más amplios en las bases o el contrato, pero deberán sustentarse por motivos fundados.

Si bien esta disposición implica teóricamente una clara obligación que deben respetar los servicios y que debe incorporarse a los contratos que éstos celebren con los proveedores del Estado, no existe en la modificación al reglamento una sanción específica en caso que dicho plazo no sea observado, por lo cual esa norma no mejora en la práctica los mecanismos de cobro de las deudas que el Estado tiene con los particulares emanadas de estas contrataciones.