

Legal Newsletter

January 2025

This newsletter contains the principal laws published, as well as decrees or general effect resolutions and regulations issued during the period. All of the above, in matters that may affect the various sectors where foreign investment is developed in Chile.

The information provided herein is for guidance purposes only and does not replace the information provided or interpretations made by the competent authorities on each matter.

Noteworthy Decrees and Resolutions

JANUARY 2024

Decree No. 12, of 2024, issued by the Ministry of Science and Technology Approves the update of the National Artificial Intelligence Policy

SUBJECT Global services

PUBLICATION DATE 01-28-2025

The National Artificial Intelligence Policy has been updated to guide the responsible development and use of this technology. The new decree repeals the previous version of the National Artificial Intelligence (AI) Policy, which was approved under Supreme Decree No. 20, of 2021, issued by the Ministry of Science, Technology, Knowledge, and Innovation.

This update introduces new definitions and principles that must be considered in the interpretation and application of AI-related regulations. For example, AI is defined as a computational system that generates outputs which influence real or virtual environments. Additionally, principles such as ethical and responsible use, sustainable development, and international and multi-stakeholder collaboration are established.

The policy is structured around three main pillars, which generally cover the following aspects:

Pillar 1: Enabling factors. Focuses on essential elements for AI development in Chile:

- Talent: Training individuals in AI skills at all educational levels.
- Infrastructure: Strengthening AI-related technological infrastructure, including connectivity, platforms, and data centers.
- Data: Promoting an open, diverse, high-quality data ecosystem which ensures privacy protection.

Pillar 2: Development and adoption. Promotes AI research, development, and implementation:

- R&D&I: Strengthening AI research and innovation in both academia and industry.
- Adoption: Incentivizing AI adoption in both the public and private sectors to boost productivity and economic growth.

Pillar 3: Governance and ethics. Addresses ethical and governance aspects of AI:

- Regulation: Establishing a regulatory framework that enables the responsible development and use of AI, while respecting fundamental rights.
- Ethics: Integrating ethical considerations in the development and use of AI, including environmental protection, gender equality, inclusion, and cybersecurity.
- Cooperation: Promoting international cooperation and multi-stakeholder participation in AI governance.

Decree No. 2, of 2025, issued by the Ministry of Foreign Affairs	Enacts the Interim Trade Agreement between the Republic of Chile and the European Union, together with its annexes, appendices, notes, protocol, and declaration.
SUBJECT	International trade
PUBLICATION DATE	01-31-2025

This decree enacts the Interim Trade Agreement (ITA) between the Republic of Chile and the European Union (EU), together with its annexes, appendices, notes, protocol, and declaration. This agreement, signed in Brussels on December 13, 2023, aims to strengthen economic and trade relations between both parties.

The interim agreement is provisional, and will be replaced by the Advanced Framework Agreement once the latter comes into effect.

The enactment of the interim agreement takes effect on February 1, 2025. This agreement replaces the trade pillar provisions of the EU-Chile Association Agreement, which has been in force since February 2003.

Among its key provisions, the ITA expands the list of products eligible for preferential tariff treatment in EU markets and vice versa. Additionally, it introduces changes to the requirements that exporters must meet to be eligible for preferential tariffs.

Another noteworthy change is that the ITA replaces the current proof of preferential origin system (EUR1 certificate, invoice declaration for exporters authorized by Chilean export promotion agency ProChile, and declarations for shipments under EUR 6,000) with a self-certification system. Under this new system, exporters will self-declare the origin of their products using a statement of origin, while importers will comply with the internal regulations of each party.