| **Individual Action Plan Update for Chile for 2012** |
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| ***Highlights of recent policy developments which indicate how [economy] is progressing towards the Bogor Goals and key challenges it faces in its efforts to meet the Goals.***  |
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| IAP Chapter (and Sub-Chapter and Section Heading, if any) | **Improvements made since 2009 IAP**  | **Further Improvements Planned** |
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| Tariffs | * A Free Trade Agreement (FTA) with Turkey, covering a limited number of goods, has been signed and entered into force (March, 2011).
* FTA’s, which include tariff reductions, have been signed with:
* Malaysia (November 2010),
* Vietnam (November, 2010),
* Nicaragua (February, 2011).
 | * Chile is currently negotiating the Trans-Pacific Partnership (TPP), an FTA with eight APEC economies (Australia, Brunei Darussalam, United States, Malasya, New Zealand, Peru, Singapore and Viet Nam).
* Chile is also negotiating Comprehensive Free trade Agreements with Hong Kong and Thailand.
* Additionally, Chile is negotiating additional tariff reductions to those agreed to in the current Preferential Trade Agreement.
 |
| Website for further information:  | [www.direcon.cl](http://www.direcon.cl) |  |
| Contact point for further details: | Elena Valpuesta: evalpuesta@direcon.gob.cl |  |
| **Non-Tariff Measures** | * Currently there are no market access restrictions, either quantitative restrictions or national treatment limitations.
* The only exception is the current prohibition to import used motor vehicles, prohibited under Chilean Law.
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| Website for further information:  | [www.direcon.cl](http://www.direcon.cl) |  |
| Contact point for further details:  | Elena Valpuesta: evalpuesta@direcon.gob.cl |  |
| **Services** | * Telecommunications: On January 16th 2012, number portability for mobile phones came into force.
* New Services Agreements have been signed with:
1. China; and,

(ii) Mercosur | * Chile is currently in the process of eliminating national long distance telecommunications, eliminating existing area codes and making all telephone numbers in Chile the same number of digits. This process, that begun in January 2012 is expected to end in 2014.
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| Website for further information:  | [www.subtel.gob.cl](http://www.subtel.gob.cl)  | [www.subtel.gob.cl](http://www.subtel.gob.cl) |
| Contact point for further details: | Carlos Portales: cportales@direcon.gob.cl |  |
| **Investment** |   | * The current FTA negotiations with Hong Kong and Thailand include investment chapters.
* Chile is negotiating an investment agreement with China, to further enhance the existing Chile - China FTA.
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| Website for further information:  | [www.direcon.cl](http://www.direcon.cl) |  |
| Contact point for further details: | Carlos Portales. cportales@direcon.gob.cl |  |
| **Standards and Conformance** | * Strengthening of the National Commission on Technical Barriers to Trade (NCTBT), process which has been headed by Direcon. The NCTBT has played an important coordination role between the different Government Agencies, and has also provided a fora to express their concerns and expectations related to the nation’s standardization agenda.
* In 2010 Chile became a full member of the International Electrotechinal Commission (IEC)

 * The National Normalization Institute (INN), signed in 2010 the following Multilateral Recognition Agreements (MLA) and Mutual Recognition Agreements (MRA):
1. Inter American Accreditation Cooperation (IAAC) - MLA, for the accreditation of: Quality Management Systems (QMS), Environmental Management Systems (EMS), Calibration Laboratories, Testing laboratories and Clinical Laboratories.
2. The International Laboratory Accreditation Cooperation (ILAC) - MRA, for the accreditation of Calibration Laboratories and Testing laboratories.
3. International Accreditation Forum (IAF) - MLA, for the accreditation of QMS and EMS.
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| Website for further information:  |  |  |
| Contact point for further details: | Carolina Vásquez: cvaszquez@direcon.gob.cl |  |
| **Customs Procedures** | * Since 2009, the National Customs Service (Customs) has developed a series of projects to strengthen the facilitating role that every modern Customs Authority must fulfill. These projects allow users to complete electronic procedures to and from all destinations, in order to facilitate and speed up the release of goods.
* Main projects:
1. In 2009, Customs began working on a project that allows importers to attach to the electronic declaration of importation, all the necessary documentation for the release of goods. Its full implementation is expected for June of 2012. With this project, an importer can electronically send the shipment documentation to Customs, thus eliminating needless paperwork and improving relese times.
2. In 2011, a Presidential Decree orderd Customs to begin working towards the creation of the Integrated System for International Trade (Single Window). The pilot program will be implemented by July of 2012.
3. In 2011, Customs began the Electronic Collection Project; its full implementation is expected inJune of 2012. By means of this new system, it will be possible to electronically process all collection requests, which can be indistinctly presented by the exporter itself or by a Customs Agent.
4. In 2011, Customs picked up on the work started in 2009, for the establishment of an Authorized Economic Operator (AEO). The pilot program is expected to be implemented during the second half of 2012.
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| Website for further information:  | [www.aduana.cl](http://www.aduana.cl) |  |
| Contact point for further details: | Gabriela Landeros: glanderos@aduana.clFabian Villaroel: fvillaroel@aduana.cl |  |
| **Intellectual Property Rights** | * In 2010 Chile passed Law Nº 20.435 that modified the existing Chilean Copyright Legislation, Law Nº 17.336.
* In 2011 Chile suscrbied the following multilateral treaties:
1. The Trademark Law Treaty (TLT);
2. The Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite; and,
3. The Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.
* Additionally, in 2011 Chile approved the 1991 version of the International Convention for the Protection of New Varieties of Plants (UPOV). However, implementing legislation, that would bring into line the Chilean Plant Varieties Legislation with UPOV 91, is pending Congressional approval. This is a requirement to be able to fully ratify the agreement.
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| Website for further information:  | [www.bcn.cl](http://www.bcn.cl) |  |
| Contact point for further details: | Marcela Paiva: mpaiva@direcon.gob.cl |  |
| **Competition Policy** | * Competition Law Enforcement: Regarding the new investigative powers to deal with cartels, in force since October 2009, during 2010 the National Economic Prosecutors Office (FNE, by its Spanish acronym) received its first leniency application in its also first international cartel investigation (on the refrigerator compressors' market). Additionally, during 2011 the remaining new powers (such as dawn raids and wire tapping) were effectively implemented in cartel investigations.
* Competition Advocacy: During 2011 the FNE issued guides on “Trade Associations and Competition” and “Competition in Public Procurement“in order promote competition in the private and public sectors respectively.
* International Cooperation on Competition Law / Policy: Chile became a member of the OECD on May 7th, 2010, and accordingly changed its role in the OECD Competition Committee from observer to member, where it is represented by the FNE.
* The FNE continued with its active role in several international fora (OECD Competition Committee, International Competition Network, APEC Economic Committee – Competition Policy and Law Group and United Nations Conference on Trade and Development, among others).
* Finally, the FNE signed a cooperation agreement with the United States Federal Trade Commission and the United States Department of Justice (together, the U.S. antitrust agencies), which include provisions regarding cooperation, information exchange and technical assistance.
 | * Improvements of the legal framework: In December 2011, following the filing of a complaint with the Competition Tribunal by the FNE, regarding a cartel case in the poultry industry, the President of Chile, Mr Sebastián Piñera, announced the creation of a working group to strengthen free competition in Chile. The working group was named the “Presidential Advisory Commission for the Defense of Free Competition” (‘the Commission’).
* The main objectivs of the newly formed Commission are:
1. To propose improvements and adjustments to the free competition legislation, including international best practices;
2. To incorporate preventive measures, so that actions can be taken to avoid abuse;
3. To establish mechanisms that enable any abuse to be detected and sanctioned with the greatest severity; and,
4. To eliminate entry barriers to different markets and industries, in order to create equality of opportunities in the markets.
* The Commission has a timeframe of six months to deliver to the President a document detailing proposals in each area.
* Competition advocacy: During 2012 the FNE has planned to issue guidelines on “Compliance” and “Competition Assessment“ to promote competition within the private and public sector respectively.
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| Website for further information:  | [www.fne.gob.cl](http://www.fne.gob.cl) | [www.fne.gob.cl/english/](http://www.fne.gob.cl/english/) |
| Contact point for further details: | Mónica Salamanca: msalamanca@fne.gob.clFernando Araya: faraya@fne.gob.clMarcia Pardo: mpardo@fne.gob.cl |  |
| **Government Procurement** | * The Chile – Uruguay Agreement on Government Procurement (signed on January 22, 2009). The agreement has yet to come in force, awaiting Congressional approval from Uruguay.
* Modifications to the Regulation of Law No. 19.886 on Government Procurement, with the goal of benefiting micro and small enterprises (MYPEs, by its Spanish achornym) and hence facilitating access to public procurement market and reduce the level of bureaucracy (December 27, 2011).
 | * Under negotiation :
1. Trans-Pacific Partnership (TPP) Agreement, which includes a Chapter on Government Procurement.
2. Hong Kong, China – Chile FTA Agreement, which includes a Chapter on Government Procurement.
3. Chile is analyzing the Government Procurement Chapter within the Chile - Central America Free Trade Agreement, in order to improve the coverage of the Agreement and incorporate certain transparency standards.
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| Website for further information:  | [www.direcon.gob.cl](http://www.direcon.gob.cl) [www.chilecompra.cl](http://www.chilecompra.cl)[www.mop.gov.cl](http://www.mop.gov.cl) |  |
| Contact point for further details: | Karin Schmeisser: kschieisser@direcon.gob.cl  |  |
| **Deregulation/Regulatory Review** | * Since 2009 Chile has adopted additional liberalization within the air transport sector. In this sense, the Chilean open skies policy has been extended to cabotage or domestic transport.
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| Website for further information:  |  |  |
| Contact point for further details: | Felipe Lopeandia : flopeandia@direcon.gob.cl |  |
| **Implementation of WTO Obligations/ROOs** | Chile has fully implemented all of its WTO obligations. |  |
| Website for further information:  |  |  |
| Contact point for further details: |  Alvaro Espinoza: aespinoza@direcon.gob.cl |  |
| **Dispute Mediation** | Provide brief points only |  |
| Website for further information:  |  |  |
| Contact point for further details: |  |  |
| Mobility of Business People | * The Interior Ministry is developing a modernization plan for the Immigration Service, that seeks to facilitate the process of filing residence permissions while in the country. In 2012, the Agreement of Interoperability with the Chilean Civil Police (*Policia de Investigaciones*) came into force, this in order to facilitate access to criminal records of foreign applicants of resident visas. In addition, the duration of procedure of these permissions has been streamlined.
* The Ministry of Foreign Affairs has developed a similar plan for electronic consular immigration services.
* In terms of the dialogue with the business community, during 2011 the Migration Department participated in two seminars with the business community in order to promote the APEC Business Travel Card scheme (ABTC).
 | * An Interoperability Agreement between the Interior Ministry and the Civil Registration and Identification Service will be signed during 2012. This Agreement will allow access to relevant information in the clearence process for temporary residence.
* A new Collaboration Agreement between the Chilean Government and the Santiago Chamber of Commerce will be signed, in order to certify business persons who apply for the ABTC.
* Maintain the dialogue on mobility issues with the business community.
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| Website for further information:  |  |  |
| Contact point for further details: | Mrs Gabriela Cabellos: gcabellos@interior.gov.cl |  |
| Official websites that gather economies’ information | Chilean Central Bank: [www.bcentral.cl](http://www.bcentral.cl)Chilean Customs Authority: [www.aduana.cl](http://www.aduana.cl)Chilean Investment Committee: [www.cinver.cl](http://www.cinver.cl)Ministry of Finance: [www.hacienda.cl](http://www.hacienda.cl)Ministry of Economy: [www.minecon.cl](http://www.minecon.cl)Ministry of the Interior: [www.interior.cl](http://www.interior.cl)Internal Revenue Service: [www.sii.cl](http://www.sii.cl)National Competition Authority: [www.fne.cl](http://www.fne.cl)General Directorate for International Economic Affairs: [www.direcon.cl](http://www.direcon.cl).Chilean Export Promotion Authority: [www.prochile.cl](http://www.prochile.cl)Chilean library of Congress: [www.bcn.cl](http://www.bcn.cl) |  |
| Website for further information:  |  |  |
| Contact point for further details: |  |  |
| **Transparency** |  |  |
| Website for further information:  |  |  |
| Contact point for further details: | Federico Gajardo: fgajardo@direcon.gob.cl |  |

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| **RTAs/FTAs**  |
| ***-*** ***Description of current agreements*** | Chile – Turkey FTA (In force since the 1st of March 2011) |
| ***- Agreements under negotiation*** | *Please provide information on agreements that are currently under negotiation eg issues being covered in the negotiation and the status of the negotiation.*  |
| ***Agreement #1*** | Trans-Pacific Partnership (TPP): Comprehensive Trade Agreement, under negotiation (XI Round) |
| ***Agreement #2*** | Chile – Thailand FTA: Comprehensive Trade Agreement, under negotiation (III Round) |
| ***Agreement #3*** | Chile – Hong Kong: Comprehensive Trade Agreement, under negotiation (I Round) |
| ***Agreement #4*** | Chile – India: Extension of the current Trade agreement, under negotiation (IV Round) |
| ***-*** ***Future plans*** |  |
| Website for further information:  | [www.direcon.cl](http://www.direcon.cl) |
| Contact point for further details: |  |

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| ***Other voluntary reporting areas*** |  |  |
| Website for further information:  |  |  |
| Contact point for further details: |  |  |