

Country Profile: Chile

Introduction

This country guideline provides general information on the most common corporate immigration processes for Chile. Please note that immigration processes in every country are subject to frequent change, and also that each case is assessed on its own merits. Therefore, this guideline should be taken as providing general information only. Cases to Chile are handled by our team in Houston, Texas. For specific, detailed advice, please contact your representative.

This guideline is divided into the following sections. Please click on the links below to be taken directly to the relevant section.

1. [Immigration Categories](#)
2. [Typical Process Overview](#)
3. [Typical Documents Obtained](#)
4. [Renewal](#)
5. [Deregistration](#)
6. [Dependents](#)
7. [Application Materials](#)
8. [Business Visitors](#)
9. [Salary and Payroll](#)
10. [Qualifications](#)
11. [Red Flags](#)
12. [Penalties for Non-Compliance](#)
13. [Bilateral Agreements](#)

Immigration Categories

A brief description of corporate immigration categories by assignment type follows. The appropriate immigration category or status for your employees will depend on their specific details and on your company. The most common category for temporary corporate transfers in our experience is the Visa Subject to Work Contract. For details on non-typical categories not listed below (investors, special programs), please contact your representative.

- **Visa Subject to Work Contract:** Visa issued for most assignments where a contract will be in place between the employee and the local company. This visa is appropriate for individuals being placed on local payroll.
- **Temporary Residence Visa:** Visa issued for temporary expatriate assignments where the employee will remain on home country payroll. This visa is also appropriate for nationals of MERCOSUR-member countries. Also available is a Temporary Residence Visa for Labor Purposes, which allows individuals to work in Chile without linking the visa to a particular employer.
- **Special Work Permit for Tourists:** Temporary work permit issued for short-term assignments.

Typical Process Overview

The following process overview is applicable to the category “Visa Subject to Work Contract” filed with the Immigration Department in Chile. This visa type can also be filed at a Consulate abroad, and will be analyzed on a case by case basis. Approximate overall processing time from the time the first step is submitted to the time the employee is legal to work in Chile ranges from two (2) to eight (8) weeks. However, note that lead time for document gathering at the start of the process should be factored in, as should processing time for completion of post-arrival formalities. See “[Application Materials](#)” section below for further details. Processing time for each individual step is noted below.

Document Gathering

Processing Time: Dependent on case, allow one (1) to three (3) weeks.

Typical documents required include application letters, powers of attorney, and a signed work contract.

Step One: Entry into Chile

Must take place in order to sign the work contract and submit the visa application to the immigration authorities. Note some nationalities may be required to pay a reciprocity fee on arrival in Chile. We recommend allowing at least one (1) week for the filing.

Step Two: Filing for Visa Subject to Work Contract with the Chilean Immigration Department

Processing Time: Three (3) to four (4) months

A Visa Application Receipt (VAR) will be issued approximately four (4) to six (6) weeks after submission, which will serve as proof of the ongoing application until the visa is approved. Along with the VAR, the Immigration Department will issue a Special Work Permit linked to the visa application that will permit work activities while the application is reviewed.

Step Three: Filing for Provisional RUT (Tax ID) Number Immigration Department

Processing Time: Two (2) to three (3) days

The Provisional RUT may be requested once the employee receives appropriate work authorization, such through the Special Work Permit issued with the VAR. Once secured, the employee may be added to local payroll. Note that a definite ID number will be issued for the employee at the end of the immigration process, which will be different from and substitute the Provisional RUT number. Use of the Provisional RUT number should be limited.

Step Four: Approval and Stamping of Visa

Processing Time: Two (2) to three (3) business days

Following approval, our Representative may submit the employee’s passport to the Immigration Department for the stamping of the visa. Note that once the visa is stamped, the employee will be unable to travel abroad until the visa registration is complete.

Country Profile: Chile

Step Five: Registration with Local Police and ID Card Request

Processing Time: Two (2) to four (4) weeks

Within thirty (30) days of the stamping, the employee and any accompanying dependents must register with the local police and request their Chilean ID Card for Foreigners. The ID Card will be issued to each applicant approximately two (2) to four (4) weeks thereafter. The definitive tax identification number will also be issued to the employee on the ID Card.

Our Representative can schedule the required appointment and provide accompaniment to the appointment. However, a personal appearance by each applicant is mandatory.

Typical Documents Obtained

Following the Visa Subject to Work Contract category as described above will result in the obtaining of the following immigration documents. Typical validity is noted next to each document name. For details on the renewal process, please see the next section, "[Renewal](#)."

- **Visa Subject to Work Contract:** Up to two (2) years, at discretion of the authorities
- **ID Card for Foreigners:** In line with the Visa Subject to Work Contract

Permanent Residence may be sought at the time of renewal.

Renewal

- The Visa Subject to Work Contract may be renewed indefinitely, as needed. Each time, it is issued with a validity of up to two (2) years (evaluated on a case-by-case basis).
- Renewal processes take approximately four (4) to five (5) months (although a VAR is issued after four (4) to six (6) weeks); please allow two (2) weeks' lead time for document gathering.

Deregistration

To ensure that assignees leave Chile after the expiration of their permission to stay and to monitor the number of foreign workers in the country, the government of Chile requires all applicants to complete the following deregistration process upon departing the country:

1. A company letter must be sent to the Immigration Department informing them of the end of the foreigner's employment.
2. A document is prepared for the employee informing/acknowledging the end of the contract. The documents must be presented within fifteen (15) days of the employee's last work day with the company.

Country Profile: Chile

Dependents

Dependent immigration status approval depends on the immigration status of the principal applicant. Where the principal applicant is in Chile under the immigration category Visa Subject to Work Contract, the following rules apply for dependents:

- **Minimum age (spouses):** N/A.
- **Maximum age (children):** No maximum age but financial dependency must be demonstrated.
- **Unmarried partners:** Permitted under certain circumstances. Visa requested as main-visa holder but relationship with principal applicant must be demonstrated.
- **Same-sex partners:** Permitted under certain circumstances. Visa requested as main-visa holder but relationship with principal applicant must be demonstrated.
- **Non-traditional dependents (e.g. parents):** Only parents recognized but financial dependency must be demonstrated. Work authorization not granted as a derivative status to dependents. They must independently secure their own job offer and visa authorizing work.
- To ensure smooth processing, the entire family should apply simultaneously. However, it is possible to file separately.

Application Materials

- Application materials vary depending on the immigration category being requested and on the specifics of the case. We will advise you in detail for your specific case. However general application materials for the Visa Subject to Work Contract category are noted below.
- Minimal personal and corporate documents will be needed to support the application.
- Such documents include: current resume (C.V.), birth and marriage certificates (for dependents only), request and authorization letters, and an employment contract including specific language required by the authorities.
- All documentation must be submitted in Spanish.
- Any document issued in a country other than Chile must be legalized via a Chilean Consulate in the document's country of origin. We can assist with the legalization requirements.

Business Visitors

- **Name of status granted:** Visitor; granted upon arrival without consular visa, except for restricted nationalities.
- **Duration of stay:** Generally up to ninety (90) days, at the discretion of the immigration official at the port of entry; renewable for another ninety (90) days. Duration may vary by nationality. Please contact your representative for more details regarding your specific situation.
- **General activities permitted:** Orientation, home-finding, training, and other preparation for employment.

Country Profile: Chile



Salary and Payroll

Salary and payroll requirements vary depending on the immigration category and on the specifics of the case. In Chile, there are minimum salary requirements in place. Additionally, payroll location may affect the immigration process. Please contact your representative for more details regarding your specific situation.

Qualifications

There is no requirement for a minimum number of years of experience or qualifications in order to apply for a Visa Subject to Work Contract.

Red Flags

- The employee must plan to travel to Chile at least once before initiating his or her assignment with the purpose of filing the visa application in-country. Once the application is filed, the employee may return to his or her home country to await the issuance of the work authorization or may secure a SWPT to remain in Chile and begin work activities while the application is processing.
- Unmarried partners, same-sex partners, step-children, and other non-traditional dependents need to be analyzed on a case-by-case basis, as additional documentary requirements may apply and additional processing time may be required. Contact your representative for evaluation on a case-by-case basis.

Penalties for Non-Compliance

The Chilean government takes immigration non-compliance very seriously. Penalties for non-compliance range from fines to deportation and even imprisonment.

Employee Penalties:

Employees working in Chile without the proper authorization may face fines, with the amount at the discretion of the authorities; a negative record with the Immigration Department leading to cancellation of ongoing or future applications; possible deportation; travel restrictions to return to Chile after departure.

Employer Penalties:

Employers may face fines and may incur a negative record with the Immigration Department leading to restrictions on ability to sponsor foreign workers for immigration processes.

For more details, please contact your representative.

Country Profile: Chile



Bilateral Agreements

Trade agreements exist between Chile and certain other countries. Of particular note is the Residence Agreement between MERCOSUR Members, Bolivia, and Chile, which includes provisions that impact the immigration process for member countries, as outlined below. For more specific information on this agreement and how it may impact your specific situation, please contact your representative regarding your specific situation.

- **Residence Agreement between MERCOSUR Members, Bolivia, and Chile:** Passport holders from countries that are full members of MERCOSUR (Argentina, Brazil, Paraguay, and Uruguay) and from Bolivia can obtain a one (1) year Temporary Residence Visa based on their nationality without the need for a sponsoring company and employment contract. Contact your representative for more details.

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