



# GMS Flash Alert

## Immigration Edition

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## Chile – New Visa Procedures for Professionals and Investors in Technology Sector

On June 1, 2017, the Chilean government issued a new regulation<sup>1</sup> that provides for requirements and procedures related to applying for a “Visa Tech” and the granting of visas to those foreign professionals and investors who are associated with the technology sector. The regulations also provides for the possibility of an expedited application process for eligible applicants.

This aim of the Visa Tech is to attract foreign investment to develop strategic areas of the Chilean economy that have high added value, such as solar energy, technology, and machinery for mining, food technologies, sustainable tourism, and “global technology” services.

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### WHY THIS MATTERS

Because of Visa Tech, foreign investors and companies doing business in Chile’s high-tech start-up and technology sectors may wish to rethink their long-term business strategies and the organization and deployment of their labor force. The new rules and procedures facilitate expedited and streamlined processing, which could make investing in and bringing foreign workers into Chile with respect to these key sectors quicker and more convenient.

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### Background

On April 4, 2017, Chilean President Michelle Bachelet announced that, over the coming months, a new visa would come into force in Chile called “Visa Tech.” At that time, it was made clear that this new visa, aimed at professionals and foreign investors in the technology field, would be granted fairly quickly, within a maximum period of 15 days from the filing of the application. (For prior coverage, see [GMS \*Flash Alert\* 2017-075](#) (April 24, 2017)).

## Who Can Apply for a Visa Tech?

Visa Tech is an expedited immigration process available for foreign nationals who are physically present in Chile and who are professionals or investors related to the technology and innovation sectors.

Applicants must meet, at least, one of the following requirements:

1. Be awarded the Start-Up Chile<sup>2</sup> program grant in the technology services sector; or
2. Owners, partners, or investors of a “technology services” company in Chile as part of the InvestChile<sup>3</sup> program; or
3. Professionals or technicians of the science and technology sectors with well-known experience in innovation hired as a “dependent employee” or self-employed individual by a technology company which has been incorporated under the Start-Up Chile or under InvestChile program or sponsored by the Under-Secretary of Economy.<sup>4</sup>

## Which Kind of Visa Could Be Obtained through this New Procedure?

Through Visa Tech it is possible to obtain a temporary visa or a visa subject to an employment contract depending on the circumstances of the applicant. Additionally, it is also possible to apply for a permanent residence visa.

From the date of the application, the visa submission process should be completed within a maximum period of:

1. 15 working days for visa applications; and
2. 90 days for permanent residency applications.

## Who Analyzes the Visa Tech Applications?

A request must be made with Immigration Department of Chile by one of the public entities that have been designated to act as a “sponsor”: Start-Up Chile, InvestChile, or the Under-Secretary of Economy.

The authorized sponsors to request a Visa Tech at the Immigration Department are the following:

1. InvestChile would be the sponsor for those foreign companies with investments in Chile.
2. Start-Up Chile would be the sponsor for those companies associated with this program.
3. Under-Secretary of Economy and Chiletec<sup>5</sup> would be the sponsors of Chilean companies.

During this process, the sponsor’s main obligations would be the following:

1. Issue an Invitation Letter or a Sponsorship Certificate for the applicant of the Visa Tech (depending on if the individual is in Chile or abroad) indicating that he/she complies with the special requirements that have been established to support the Visa Tech application.
2. Submit the visa application electronically to the competent immigration authority.
3. Act as a link between the companies which request the “Visa Tech” with their foreign collaborators and the Chilean immigration authorities.

## What Happens If a Technology Company Is Interested in Applying for a Visa Tech for a Collaborator Who Is Not in Chile?

At the request of the company interested in hiring the services of a foreign collaborator, the correspondent sponsor (InvestChile, Start-Up Chile, Under-Secretary of Economy, or Chiletec) should issue an Invitation Letter or a Sponsorship Certificate to the applicant of the Visa Tech.

1. If the candidate has a nationality that entitles him/her to enter Chile without a tourism visa, the Invitation Letter must be shown by the candidate to International Police upon entry into the country. Once in the country, the company could request the Visa Tech for the collaborator.
2. If the candidate has a nationality that requires a tourist visa prior to the entry into the country, the Invitation Letter allows him/her to obtain a Tourist Visa for Business Purposes through the Chilean Consulate in his/her country of residence, which would be issued within a maximum period of three business days. Once in Chile, the company could request the Visa Tech for the collaborator.

### FOOTNOTES:

- 1 Regulation N°11, issued on June 1, 2017, by the Immigration Department of Chile.
- 2 Start-Up Chile is a public organization aimed at assisting foreign entrepreneurs to start their projects while opting for Chile as a headquarters for their businesses.
- 3 Invest Chile is a public organization whose mission is to inform foreign investors of business opportunities in Chile while promoting the country as an investment destination.
- 4 Under-Secretary of Economy is a public body dependent on the Ministry of Economy, Development and Tourism, whose mission is to promote economic growth, designing and promoting regulatory policies, and fostering competitiveness in the start-up/innovation sector.
- 5 Chiletec is a trade association, made up of 140 Chilean companies, which seeks the development of the local technology sector and related businesses. For "Visa Tech" purposes, Chiletec act as a partner with the Under-Secretary of Economy in order to be a sponsor for Chilean companies.

### Additional Resources:

- Investchile.gob.cl, "Visa Tech Chile": <https://investchile.gob.cl/es/visa-tech-chile/> .
- Chiletec.org (July 19, 2017), "[Chile potencia la llegada de talentos extranjeros en el área tecnológica con Visa Tech](#)".
- Startupchile.org (July, 2017), "Visa Tech Chile": <http://www.startupchile.org/visatech/> .
- LaTercera.com (August 18, 2017), "Lo que debes saber sobre Visa Tech," Santiago, Chile. See: <http://www.latercera.com/noticia/lo-debes-saber-la-visa-tech/> .(Please note this is a third-party, non-KPMG, non-governmental site. KPMG International does not endorse this site.)

## Contact us

For additional information or assistance, please contact your local GMS or People Services professional or one of the following professionals\* with the KPMG International member firm in Chile:



**Angelo Adasme**  
**Managing Director**  
Tel. + 56 22 798 14 35  
[aadasme1@kpmg.com](mailto:aadasme1@kpmg.com)



**Maria Villar**  
**Senior Manager**  
Tel. + 56 22 798 14 74  
[mariavillar@kpmg.com](mailto:mariavillar@kpmg.com)



**Claudia Arévalo**  
**Supervisor**  
Tel. + 56 22 798 14 92  
[kpmg.com](mailto:kpmg.com)

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