



Insights: Tax & Legal Highlights

A monthly selection of the latest tax
developments of interest.

English edition

KPMG Chile

September 2026



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1. New Annual Sworn Statement for Digital Platform Operators

The Chilean Internal Revenue Service (IRS) has introduced Annual Sworn Statement No. 1966, under which operators of digital intermediation platforms must report the individuals or entities that have declared to them that their activities are not subject to the obligation to file a notice of commencement of activities.

The statement must identify those individuals or entities, together with the number of transactions they carried out and the aggregate amount thereof during the reporting period and must be filed annually by March 1.

The Resolution also clarifies that administrators, operators or providers of electronic payment methods are not required to file this sworn statement, as this information is already reported to the IRS under the existing daily reporting obligations.

The Resolution applies as of Tax Year 2027 with respect to information corresponding to Commercial Year 2026, and repeals certain reporting obligations established in operative paragraph 5 of Exempt Resolution No. 99 of 2025 and operative paragraph 4 of Exempt Resolution No. 127 of 2025.

Read online:

Res. N°115 / 2026



2. Appraisal of an International Business Reorganization

The IRS was consulted regarding the application of its appraisal powers and the taxation of a reorganization whereby a Swedish company will become the direct owner of a Chilean company that it currently holds indirectly through a Mexican company.

By way of background, the reorganization first contemplates a capital increase in the Chilean company, to be subscribed and paid by the Swedish company through a contribution of assets for an amount equal to the tax basis that the Mexican company has in the shares of the Chilean entity.

The Chilean company will then carry out a capital reduction to return to the Mexican company exclusively the capital contributed by it, without including accumulated profits, so that it ceases to be a shareholder. The Chilean company has a balance in its RAI register that exceeds the amount of the proposed repayment.

With respect to the contribution, the IRS indicated that it may be excluded from appraisal as a domestic business reorganization, provided that it involves assets located in Chile and the other applicable requirements are met.

As to the return of capital, the IRS clarified that it does not, by itself, constitute a

reorganization, although it may form part of a sequence of transactions which, viewed as a whole, has that character.

In such case, appraisal will not apply if the tax basis of the assets is maintained, no cash flows arise for the contributor, the requirements of the foreign jurisdiction are met, there is a valid business purpose, and Chile's taxing rights are not impaired.

Regarding the taxation of the return of capital, the IRS indicated that it must be allocated in accordance with the ordering rules applicable to the business income registers.

Accordingly, although a return effectively allocated to contributed capital may constitute non-taxable income, in the case at hand the balance of the RAI register exceeds the amount of the repayment. Therefore, the entire amount will be allocated to that register and will be subject to Additional Tax, with a credit for First Category Income Tax.



Read online:
Ruling N°2026 / 2026

3. Withdrawals of Fully Taxed Income Charged against the REX Register

The IRS was consulted as to whether a prior agreement for the proportional distribution of profits subject to ISFUT may justify disproportionate withdrawals charged against the REX register in a given fiscal year.

The query concerns a limited liability company subject to the general partially integrated regime, whose partners agreed in 2017 to distribute the profits subject to ISFUT in proportion to their interests in the company's capital. However, each partner could make the withdrawal at the time he or she deemed appropriate. Therefore, withdrawals made in a given fiscal year could be disproportionate even though, taken together, they were consistent with the proportion previously agreed.

The IRS stated that the agreement under which the income subject to ISFUT would be withdrawn in proportion to each partner's interest in the capital, while allowing each partner to make the withdrawal when deemed appropriate, may be invoked as one of the supporting records to justify the disproportion observed in a given fiscal year.

However, the IRS clarified that the agreement alone does not substantiate the existence of

sufficient equity-related, economic, financial and/or administrative reasons. This matter must be resolved in the relevant audit, taking into account the other supporting evidence.

Likewise, the disproportion must be reviewed separately with respect to withdrawals made in each tax period, without prejudice to the fact that distributions made over time may be considered as additional supporting evidence.

Read online:
Ruling N°1915 / 2026



4. Taxation of Stablecoin Transactions

The IRS was consulted regarding the tax treatment applicable when a company domiciled in Chile receives stablecoins as payment for services rendered to entities domiciled abroad.

In particular, the company currently provides services for a price agreed in money but plans for payment to be made in stablecoins whose value is linked to the U.S. dollar.

As a preliminary matter, the IRS clarified that cryptoassets are not regarded as legal tender, foreign currency or currency in Chile, even where their value is linked to a currency, as is the case with stablecoins.

If the parties initially agreed that payment would be made in money and subsequently agree to replace it with the delivery of stablecoins, a payment in kind occurs. This change does not alter the existence or amount of the agreed price, but only the means of payment. Accordingly, for the Chilean company, the acquisition value and tax basis of the stablecoins correspond to the price agreed for the services.

For inflation adjustment purposes, stablecoins constitute monetary assets because they do not contain an indexation

clause and do not intrinsically protect against inflation. Consequently, no inflation adjustment applies to them, without prejudice to the effect that their depreciation has on the determination of Taxable Net Income through the adjustment of opening Tax Equity.

Finally, the IRS stated that information on digital assets must be reported annually by Chilean companies through Sworn Statement No. 1964 on digital assets.

Read online:
Ruling N° 1982 / 2026



5. Updated Guidance on the RAV, RAF and Hierarchical Appeal

The IRS consolidated and updated, in a single document, the guidance applicable to the three administrative tax challenge mechanisms: the Voluntary Administrative Reconsideration (RAV), the Hierarchical Appeal and the Review of Audit Actions (RAF).

I. General Rules

- **Calculation of deadlines:** administrative business days are counted (excluding Saturdays, Sundays and public holidays), beginning on the day following notification of the act.
- **Electronic processing:** the proceedings are conducted through an electronic case file and, as a general rule, submissions are made online through the IRS website; paper filings are exceptional.
- **Taxpayer rights:** the safeguards under Article 8 bis of the Tax Code and the principles of Law No. 19,880 are restated.
- **Jurisdiction and continuing authority:** the Regional Directorate that issued a request or summons, or commenced the audit, retains jurisdiction over subsequent actions even if the taxpayer changes domicile.

II. Comparative table

Aspect	RAV	Hierarchical Appeal	RAF
Scope	Assessments, tax payment orders, payments and resolutions affecting taxes or denying applications; valuations and Property Tax.	Only against the resolution deciding a RAV.	Corrects manifest defects or errors in resolutions, assessments or tax payment orders.
Filing deadline	30 administrative business days from notification.	5 administrative business days from notification of the RAV decision.	"At any time," after the judicial claim period has expired.
Deciding authority	Department of Administrative Tax Procedures or Legal Department.	Director of the IRS (exclusive jurisdiction).	Specialized unit of the Regional Directorate / Large Taxpayers Directorate / Audit Subdirectorate.
Decision deadline	90 administrative business days.	30 administrative business days (extendable).	60 administrative business days.
Administrative silence	Deemed denied if no decision is notified within 90 days.	Negative administrative silence.	Negative administrative silence.
Subsequent challenge	Hierarchical Appeal.	Exhausts administrative remedies; a judicial claim may be filed against the original act.	No appeal or claim on the merits is available.

III. Effective Date

This Circular will enter into force on the first day of the month following its publication in the Official Gazette. Applications already filed under the prior circulars will continue to be processed in accordance with those circulars..

Read online:
Circular N°35 / 2026



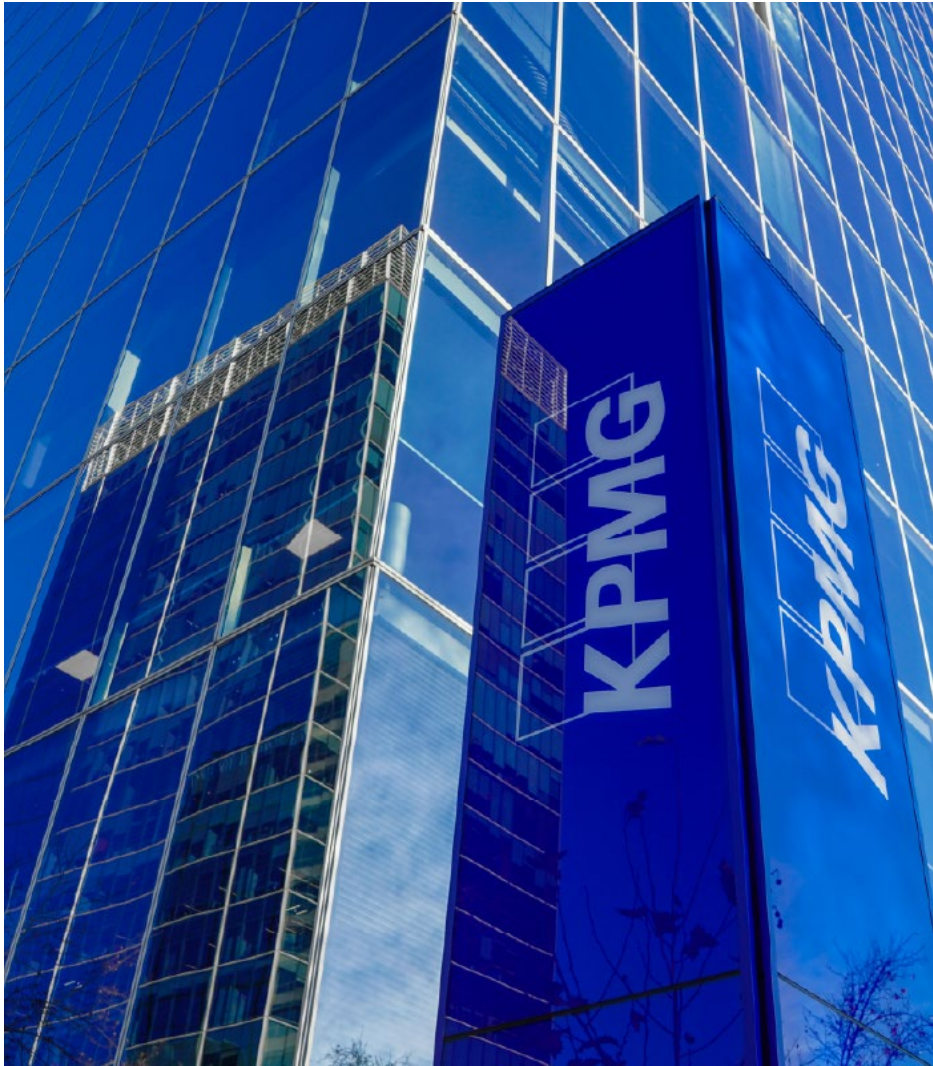
Other Pronouncements

IRS Exempt Resolution No. 116, dated 08/31/2026	Replaces the format, content and instructions of the sworn statements contained in the in dicated resolutions.
IRS Exempt Resolution No. 114, dated 08/31/2026	Provides instructions on the issuance of certificates for donations made under Title VIII bis of Decree Law No. 3,063 of 1979 of the Ministry of the Interior through the donation's portal administered by the Technical Secretariat. Repeals Exempt Resolution No. 77 of 2022.
IRS Exempt Resolution No. 113, dated 08/31/2026	Establishes the obligation to file Annual Sworn Statement No. 1965 regarding amounts received and/or accrued by digital content creators and digital content provider companies.
IRS Exempt Resolution No. 112, dated 08/31/2026	Amends IRS Exempt Resolution No. 107 of 2025, which restructured Annual Sworn Statement No. 1922, and IRS Exempt Resolution No. 112 of 2025, which established Annual Sworn Statement No. 1962.



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CPT	Tax Equity
TC	Tax Code
IDPC	First Category Income Tax
ISFUT	Substitute Tax on Accumulated Income in the FUT
VAT	Value Added Tax
ITL	Income Tax Law
VATL	Law on Sales and Services Tax
GAAR	General Anti-Avoidance Rule
RAI	Register of Income Subject to Final Taxes
RAF	Review of Audit Actions
RAV	Voluntary Administrative Reconsideration
REX	Register of Exempt Income, Non-Taxable Income and Fully Taxed Income
RLI	Taxable Net Income
IRS	Chilean Internal Revenue Service





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