Insights: Tax & Legal Highlights



A monthly selection of the latest tax developments of interest.
English edition

KPMG Chile

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Contents

1. Use of Courier air waybill to replace dispatch waybill
2. Tax cost of investments in companies when adopting accounting in USD
3. Qualification as a digital platform operator for VAT purposes
4. VAT tax credit for general expenses paid by workers with funds to be rendered
5. VAT on advances on construction contracts
6. Tax documentation on services provided by hotel companies
7. Concept of financial institution for exemption from ITE

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1. Use of Courier air waybill to replace dispatch waybill

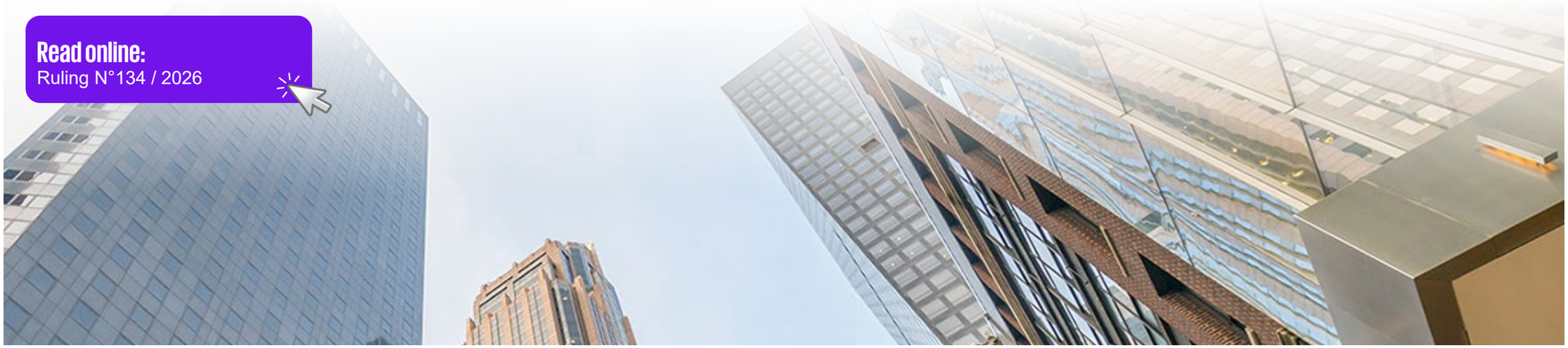
The IRS authorizes Courier companies involved in import operations to use the Courier Air Waybill (AWB) in replacement of the dispatch bill to support the movement of imported goods.

The authorization includes the transfer from the authorized customs premises to the distribution or storage centers of the Courier company and, subsequently, from said facilities to the address or place of delivery reported by the consignee. The air waybill must have physical and/or electronic support, have been reported to the National Customs Service (SNA) and contain the minimum background of the shipment, such as its identification, recipient, delivery address, description of the goods and total value.

To benefit from this mechanism, Courier companies must be registered in the corresponding registry of the SNA, inform the IRS of their option to use the air waybill instead of the dispatch waybill and submit certain information contained in the Master Air Waybill on a monthly basis, within the first 15 days of the following month, in accordance with the format communicated by the IRS. The IRS must issue an official response to the notice within 10 business days of receipt.

In the event that the Courier company does not opt for this regime or does not meet all its requirements, it must use the dispatch guide for the transfer of the goods. The resolution is in force from October 13, 2026.

Read online:
Ruling N°134 / 2026



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2. Tax cost of investments in companies when adopting accounting in USD

The IRS is consulted on how to determine the tax cost of an investment in a Chilean company, made in pesos by a company that was subsequently authorized to keep its accounts in USD.

The IRS points out that, since the authorization to keep accounts in foreign currency comes into force, the company determines its taxes in that currency and stops applying monetary correction. Therefore, the tax cost of its investments is expressed in the authorized currency, without subsequent adjustments.

In the case consulted, the investment corresponded to a capital contribution made in CLP, which until authorization was corrected monetarily in accordance with the general rules. As of the authorization, that value must be converted into USD according to the exchange rate in force on that date, an amount that becomes its tax cost.

In addition, the IRS specifies that subsequent variations in the exchange rate between CLP and USD do not generate tax income or expenses with respect to this investment, since exchange differences are only recognized in operations agreed in a currency other than the CLP and the authorized currency. The adjustments that are recorded in accounting do not affect the RLI.



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3. Qualification as a digital platform operator for VAT purposes

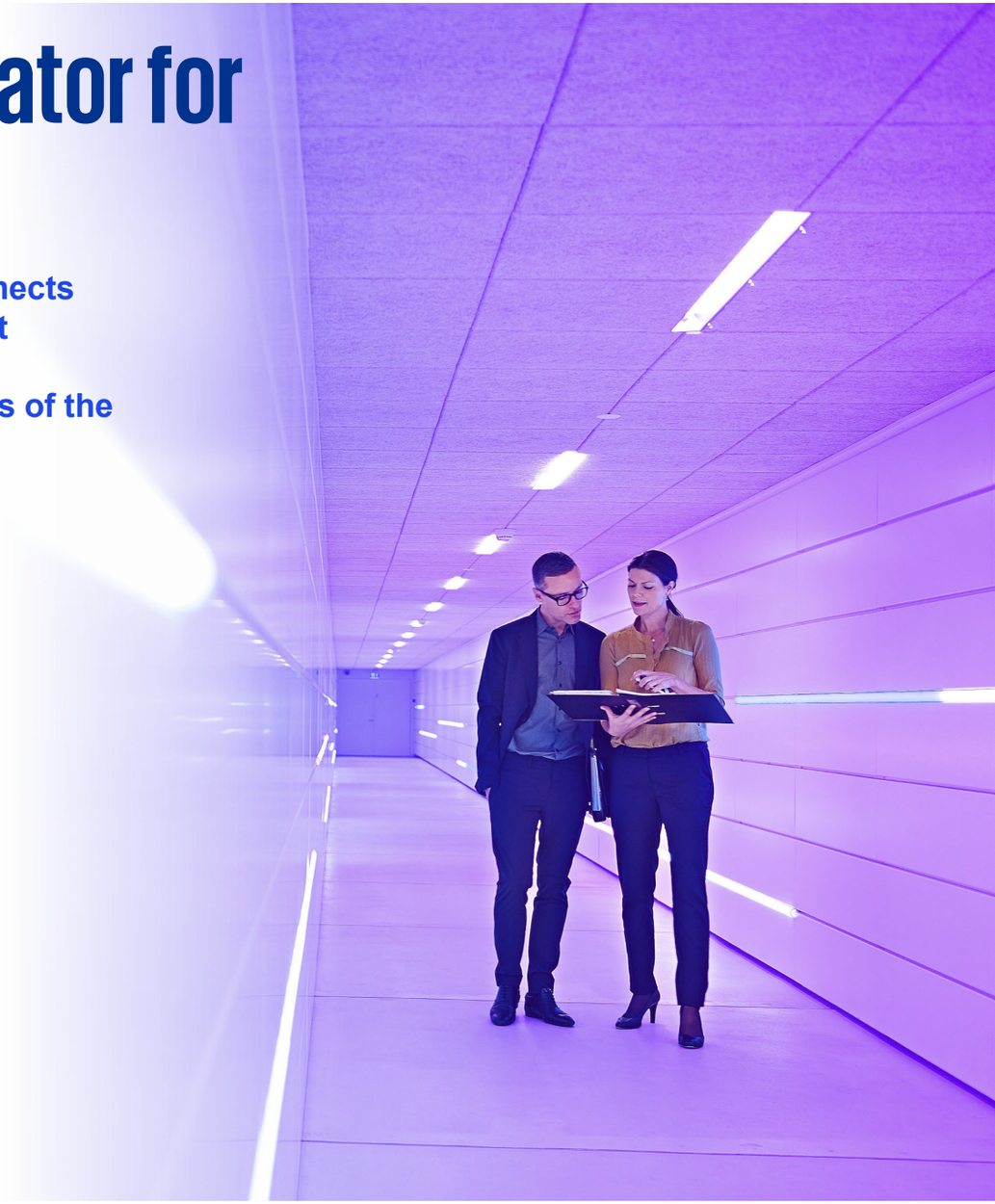
The IRS is asked if a Chilean company that operates a technological platform that connects local suppliers with retailers, or the foreign company that provides such a tool, without intervening in the perfection of transactions, qualifies as an operator of a digital intermediation platform, with respect to sales from local suppliers to retailers and sales of the latter to final consumers.

The IRS recalls that the operator of a digital intermediation platform is a VAT taxpayer as if he were a habitual seller of the good or provider of the service that is concluded through it, provided that the operation is taxed with VAT. An operator is understood to be the one who economically exploits the platform. This rule does not apply when the good is sold by or to a VAT taxpayer in Chile.

With respect to the foreign company, the IRS concludes that it does not qualify as an operator, since it only provides the Chilean company with a technological tool so that it can exploit it economically in the provision of its own services.

As for the Chilean company, the transactions are completed exclusively through each user's own channels, without the intervention of an interface operated by the company, so it does not qualify as an operator with respect to them. In addition, since the sellers are local, they will be the VAT taxpayers, excluding the Chilean company that operates the platform from assuming VAT obligations.

Read online:
Ruling N°2281 / 2026



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4. VAT tax credit for general expenses paid by workers with funds to be rendered

The IRS is asked if a company can use the VAT tax credit on invoices issued in its name, but paid by its workers with funds to be rendered, and if in that case it can keep said credit in the event of an eventual objection from the invoices.

The origin of the tax credit depends exclusively on compliance with the legal requirements and not on who materially pays the tax. Therefore, the payment made by the employees does not prevent the company from using the tax credit, provided that the legal requirements are met, in particular, that the expenses are related to their line of business or activity.

Regarding the second consultation, the law allows the company to keep the tax credit even when the IRS objects to an invoice, for example, because it is false or unreliable, or because it was issued by someone who is not a VAT taxpayer. To this end, it requires, among other requirements, that the invoice has been paid by nominative check, nominative voucher or electronic transfer in the name of the issuer, from the company's own bank current account. However, the IRS specifies that this requirement would not be met if the payment is made from the employee's account, so that, in that case, the company would not be able to benefit from this protection.



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5. VAT on advances on construction contracts

The IRS is consulted if a contractor company must issue an invoice for an advance received in a construction contract awarded by public tender.

For these purposes, the IRS distinguishes according to the nature of the sums received:

If it is an advance on account of the price, it is part of the price of the general construction contract, so it is subject to VAT and must be invoiced at the time of its receipt.

On the other hand, if the sums must be repaid even if the work is not executed, they constitute a loan and do not remunerate a sale or a service. In this case, they are not taxed with VAT and it is not appropriate to issue an invoice, and their delivery may be supported by any means of proof, without prejudice to the possible application of ITE.

Read online:
Ruling N°2331 / 2026

6. Tax documentation on services provided by hotel companies

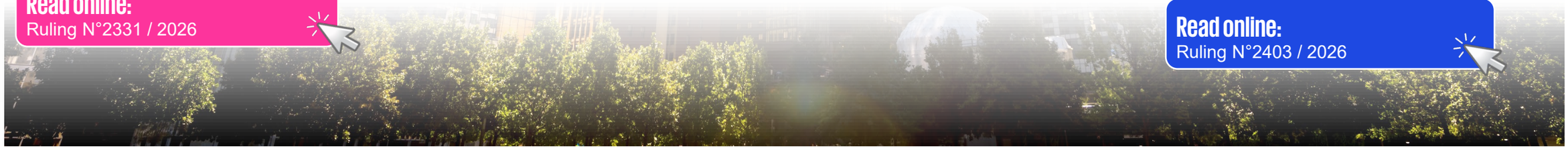
The IRS is asked what tax document a hotel must issue when a Chilean travel agency contracts the accommodation through a foreign supplier and the hotel charges VAT to the passenger without issuing a ticket or invoice.

In the case consulted, the hotels only gave the passenger a receipt with no tax value, arguing that their client was the foreign supplier. In this regard, the IRS points out that hotel services are subject to VAT and that the tax document must always be issued to the buyer or beneficiary of the service: invoice, if they are a VAT taxpayer, or receipt, if they are the final consumer.

Therefore, even if the payment is channeled through a foreign intermediary, the hotel must issue the ticket or invoice to the Chilean passenger, as the beneficiary of the service, for the total amount of the service. The document must be issued in the same tax period in which the hotel receives the remuneration or it is made available to them.

Finally, if the intermediary pays for the service later, the hotel can advance the issuance of the invoice to deliver it before the passenger leaves the establishment.

Read online:
Ruling N°2403 / 2026



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7. Concept of financial institution for exemption from ITE

The IRS is asked if a company that exclusively grants financial leasing contracts to a related company, for the acquisition of new vehicles, can qualify as a financial institution to access an ITE exemption.

In accordance with the ITE Law, documents issued by banks or financial institutions in deposit or capital raising operations by savers and local investors are exempt from this tax, when they account for money credit operations and are necessary to carry out these operations.

For these purposes, the IRS understands a financial institution to be any company that habitually lends money or grants credits. Habituality must be understood in its natural sense, that is, as that which occurs normally or frequently. Thus, for the purposes of the exemption, habituality is related to the frequency with which the entity lends money or grants credits.

Accordingly, the exemption is appropriate to the extent that the requirements of the concept of financial institution, including habituality, and the other requirements of the exemption are met.

Read online:
Ruling N°2554 / 2026



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Other Pronouncements

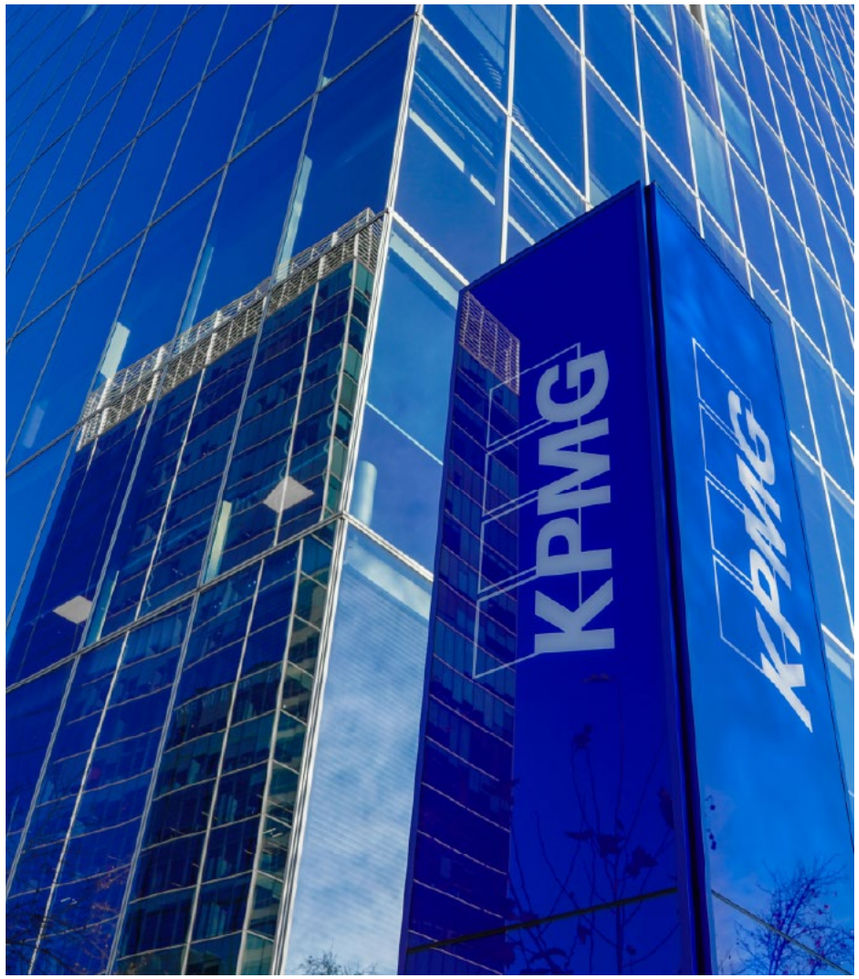
Exempt Resolution IRS No. 121, of 09/04/2026	It establishes the framework of new technical and business validations applicable to the receipt of DTEs, the details of which and implementation deadlines will be informed by the IRS.
Ruling No. 2277, of 09/04/2026	Information on the tax situation and documentation required in case of interest and commissions established in Law No. 19,983



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Glosario

DTA	Agreemtent for the Avoidance of International Double Taxation
CLP	Chilean Peso
DTE	Electronic Tax Documents
CIT	Corporate Income Tax
ITE	Stamp Tax
VAT	Value Added Tax
CITL	Income Tax Law
RLI	Taxable net income
IRS	Internal Revenue Service
SNA	National Customs Service
USD	United States Dollar



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