

ANNEX ON MOVEMENT OF NATURAL PERSONS FOR BUSINESS PURPOSES¹

ARTICLE 1

Entry and temporary stay-related procedural commitments

Parties should ensure that the processing of applications for entry and temporary stay pursuant to their respective commitments in the Agreement follows good administrative practice. To that effect:

- (a) Each Party shall ensure that fees charged by competent authorities for the processing of applications for entry and temporary stay do not unduly impair or delay trade in services under this Agreement.
- (b) Subject to the competent authorities' discretion, documents required from the applicant[s] for applications for the grant of entry and temporary stay of short-term visitors for business purposes should be commensurate with the purpose for which they are collected.
- (c) Complete applications for the grant of entry and temporary stay shall be processed as expeditiously as possible.
- (d) The competent authorities of a Party shall endeavor to provide, without undue delay, information in response to any reasonable request from an applicant concerning the status of an application.
- (e) If the competent authorities of a Party require additional information from the applicant in order to process the application, they shall endeavor to notify, without undue delay, the applicant.
- (f) The competent authorities of each Party shall notify the applicant of the outcome of the application promptly after a decision has been taken.
- (g) If the application is approved, the competent authorities of each Party shall notify the applicant of the period of stay and other relevant terms and conditions.
- (h) If the application is denied, the competent authorities of a Party shall, upon request or upon their own initiative make available to the applicant information on any available review and/or appeal procedures.
- (i) Parties shall endeavor to accept and process applications in electronic format.

ARTICLE 2

Additional procedural commitments applying to intra-corporate transferees and their family members²

¹ The definitions included in Article 1(2) and Article 4(1)(5) of the Title on Investment Liberalisation and Trade in Services apply to this Annex.

² Paragraphs 1, 2 and 3 do not apply for the Member States of the European Union that are not subject to the application of the Directive 2014/66/EU of the European Parliament and of the Council of 15

1. The competent authorities of each Party shall adopt a decision on the application for an intra- corporate transferee entry or temporary stay or a renewal of it and notify the decision to the applicant in writing, in accordance with the notification procedures under national law, as soon as possible but not later than 90 days from the date on which the complete application was submitted.
2. Where the information or documentation supplied in support of the application is incomplete, the competent authorities shall notify the applicant within a reasonable period of the additional information that is required and set a reasonable deadline for providing it. The period referred to in paragraph 1 shall be suspended until the competent authorities have received the additional information required.
3. The European Union shall extend to family members of natural persons of Chile who are intra-corporate transferees to the European Union, the right of temporary entry and stay granted to family members of an intra-corporate transferee under Article 19 of the ICT Directive;
4. Chile shall grant to family members of natural persons of the European Union who are Business Visitors for Establishment Purposes, Investors, Intra-corporate Transferees, Contractual Service Suppliers and Independent Professionals, a visa as a dependent, which does not allow to undertake remunerated activities in Chile. Nevertheless, a family dependent may be permitted to perform a remunerated activity in Chile upon a separate application, under this Agreement or the general immigration rules, for their own visa as non-dependent. The application can be submitted and processed in Chile.

ARTICLE 3

Cooperation on return and readmission

1. The Parties acknowledge that the enhanced movement of natural persons following from the provisions of Articles 1 and 2 of the present Annex requires full cooperation on return and readmission of natural persons who do not or no longer fulfil the conditions for entry to, presence in or residence on the territory of the other Party.
2. To this end, a Party may suspend the application of the provisions of Articles 1 and 2 of the present Annex where it assesses that the other Party does not observe its obligation under international law to readmit its nationals without conditions. The Parties reaffirm their understanding that such assessment is not subject to review under Chapter X [Dispute Settlement].

May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer ("ICT Directive").