

INTERIM AGREEMENT ON TRADE BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF CHILE

Minutes

of the 1st Meeting of the EU-Chile Sub-Committee on Government Procurement

Videoconference, 22 October 2025

The Parties discussed the following:

1. Entry into force of the EU-CHILE Interim Trade Agreement (ITA) - implementation steps

The Parties mentioned and agreed that the main need in relation to the implementation of the Agreement, the single electronic portal, has to be implemented within 3 years after the entry into force of the agreement, i.e. by 2028.

2. Specific topics of interest for the Parties

The EU raised several issues to be discussed with Chile, in particular:

- a) The requirement, for registration/bidding purposes, consortia with foreign consultants to include at least a national consultant with a minimum participation of 30% of the value of the contract. Chile explained that a normative reform with the solution of this is pending approval by the General Controller Office.
- b) Issues with taking into account experience abroad: Chile explained that the experience abroad for foreign companies is recognised under the same conditions as those for national companies and that in general local experience is not required anymore. If this is not the case, EU suppliers should report it case by case as it would also violate Chilean law. However, concerning experience of sister companies, it is not recognised in Chile as valid and taken into account. The Parties agreed to continue the dialogue on this.
- c) Recognition of professional qualification: Chile explained this is under the Ministry of Education. As Chile is party to the Hague Convention on Apostilles, if the diploma is apostilled it is recognised from the moment it was obtained. However, there is also a validation of diplomas procedure that requires following certain courses and taking exams. The EU pointed that the current issue is more connected with the validation of diplomas for architects, civil engineers and construction related professions. Chile stated it is ready to continue the dialogue on this issue.
- d) Concerning the requirement for a RUT number to participate in tenders, Chile explained that this requirement is enforceable only when a company wins a tender or registers in the public works registries for consultants and contractors, which allows registered individuals and companies to be contracted right away. In cases where specific Terms of Reference may require a RUT number, EU suppliers

should report these instances. Chile clarified that the need for legal representative in Chile to execute contracts is for tax and billing purposes.

- e) Concerning the requests for certificates of achieved projects in original form, which can be difficult to obtain for international companies, and good conduct, Chile clarified that, in its opinion, certificates of achieved projects are an appropriate way to verify the accuracy and authenticity of the supplier qualification profile. It is required for Chilean and foreign companies, which can also be apostilled. Regarding requirement on good conduct certificate, Chile explained that solution for this could be included in a modification of the general administrative Bylaws of the Ministry of Public Works. The Parties agreed to continue the dialogue on this.
- f) Submission of original documents and official translation to Spanish only done by the Chilean Ministry of Foreign Affairs – Chile explained that it is working on a solution that is in the approval process, as pointed out in point a).
- g) Use of other criteria than price only, as EU operators report that, in practice, price is still believed to be the main criterion. Chile explained that the new Chilean public procurement law (N° 21.634) emphasizes the additional evaluation criteria such as sustainability, gender equality, etc. to be combined with price.

3. Exchange of statistics and information

The Parties provided statistics as regards the participation of the other Party's companies on their procurement market.

The Parties discussed the possibility of holding a webinar on the EU procurement platform and cooperation on identifying and disseminating special opportunities in specific sectors.

List of participants:

EU

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CHILE

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