

CHAPTER 12
GOVERNMENT PROCUREMENT

Article 136
Scope

1. This Chapter shall apply to any measures adopted or maintained by a Party relating to government procurement, by any contractual means, including through such methods as purchase or as lease, rental or hire purchase, with or without an option to buy:
 - (a) by entities specified in Part 1 of Annex 14;
 - (b) of goods specified in Part 2 of Annex 14, services specified in Part 3 of Annex 14, or construction services specified in Part 4 of Annex 14; and
 - (c) where the value of the contracts to be awarded is estimated to be not less than the thresholds specified in Part 5 of Annex 14 at the time of publication of a notice of procurement.
2. Paragraph 1 is subject to the General Notes set out in Part 6 of Annex 14.
3. Neither Party shall prepare, design or otherwise structure any government procurement contract in order to avoid the obligations under this Chapter.

Article 137
National Treatment and Non-Discrimination

1. With respect to any laws, regulations, procedures and practices regarding government procurement covered by this Chapter, each Party shall provide immediately and unconditionally to the goods, services and suppliers of the other Party, treatment no less favorable than that it accords to its own goods, services and suppliers.
2. With respect to any laws, regulations, procedures and practices regarding government procurement covered by this Chapter, each Party shall ensure:
 - (a) that its entities do not treat a locally-established supplier less favorably than another locally-established supplier on the basis of the degree of affiliation to, or ownership by, a natural person or an enterprise of the other Party; and

- (b) that its entities do not discriminate against a locally-established supplier on the basis that the goods or services offered by that supplier for a particular procurement are goods or services of the other Party.

3. This Article shall not apply to customs duties and charges of any kind imposed on or in connection with importation, the method of levying such duties and charges, other import regulations, including restrictions and formalities, nor to measures affecting trade in services other than laws, regulations, procedures and practices regarding government procurement covered by this Chapter.

Article 138 Valuation of Contracts

In determining the value of contracts for the purposes of implementing this Chapter:

- (a) valuation shall take into account all forms of remuneration, including any premiums, fees, commissions and interest receivable;
- (b) the selection of the valuation method by an entity shall not be used, nor shall any procurement requirement be divided, with the intention of avoiding the application of this Chapter; and
- (c) in cases where an intended procurement specifies the need for option clauses, the basis for valuation shall be the total value of the maximum permissible procurement, inclusive of optional purchases.

Article 139 Prohibition of Offsets

Each Party shall ensure that its entities do not, in the qualification and selection of suppliers, goods or services, or in the evaluation of tenders and award of contracts, impose, seek or consider offsets. For the purposes of this Article, offsets means conditions considered, sought or imposed by an entity prior to or in the course of its procurement process that encourage local development or improve its Party's balance of payments accounts, by means of requirements of local content, licensing of technology, investment, counter-trade or similar requirements.

Article 140 Technical Specifications

1. Technical specifications laying down the characteristics of the goods or services to be procured, such as quality, performance, safety and dimensions, symbols, terminology, packaging, marking and labeling, or the processes and methods for their production and requirements relating to conformity assessment procedures prescribed by procuring entities, shall not be prepared, adopted or applied with a view to, or with the effect of, creating unnecessary obstacles to trade.
2. Any technical specifications prescribed by procuring entities shall, where appropriate:
 - (a) be specified in terms of performance rather than design or descriptive characteristics; and
 - (b) be based on international standards, where such exist; otherwise, on national technical regulations, recognized national standards, or building codes.
3. Each Party shall ensure that its entities do not prescribe technical specifications that require or refer to a particular trademark or trade name, patent, design or type, specific origin or producer or supplier, unless there is no sufficiently precise or intelligible way of describing the procurement requirements and provided that, in such cases, words such as “or equivalent” are included in the tender documentation.
4. Each Party shall ensure that its entities do not seek or accept, in a manner which would have the effect of precluding fair competition, advice which may be used in the preparation or adoption of any technical specifications for a specific procurement from a person that may have a commercial interest in the procurement.

Article 141 **Tendering Procedures**

1. Each Party shall ensure that the tendering procedures of its entities are applied in a non-discriminatory manner and in compliance with this Chapter.
2. Each Party shall ensure that its entities do not provide to any supplier information with regard to a specific procurement in a manner which would have the effect of precluding competition.

Article 142 **Qualification of Suppliers**

1. In the process of qualifying suppliers, each Party shall ensure that its entities do not discriminate against suppliers of the other Party. Qualification procedures shall be consistent with the following:

- (a) any conditions for participation in tendering procedures shall be published in adequate time to enable interested suppliers to initiate and, to the extent that it is compatible with efficient operation of the procurement process, complete the qualification procedures;
- (b) any conditions for participation in tendering procedures shall be limited to those which are essential to ensure the potential supplier's capability to fulfill the contract in question;
- (c) the process of, and the time required for, qualifying suppliers shall not be used in order to keep suppliers of the other Party off a suppliers' list or from being considered for a particular intended procurement. Entities shall recognize as qualified suppliers such suppliers of the other Party who meet the conditions for participation in a particular intended procurement. Suppliers requesting to participate in a particular intended procurement who may not yet be qualified shall also be considered, provided there is sufficient time to complete the qualification procedure;
- (d) entities may maintain permanent lists of qualified suppliers. The entities shall ensure:
 - (i) that suppliers may apply for qualification at any time; and
 - (ii) that all qualified suppliers so requesting are included in the lists within a reasonably short time;
- (e) if, after publication of the notice of procurement under paragraph 1 of Article 143, a supplier not yet qualified requests to participate in an intended procurement, the entity shall promptly start procedures for qualification; and
- (f) any supplier having requested to become a qualified supplier shall be advised by the entities concerned of the decision in this regard.

2. Nothing in paragraph 1 shall preclude the exclusion of any supplier on grounds such as bankruptcy, liquidation or insolvency, or false declarations relating to a procurement, provided that such an action is consistent with the national treatment and non-discrimination provisions of this Chapter.

Article 143

Notice of Procurement

1. For each case of intended procurement, each Party shall ensure that its entities make publicly available in advance in the appropriate publication listed in Part 7 of Annex 14, a notice of procurement inviting interested suppliers to participate in that procurement, except as provided for in Article 147.
2. The information in each notice of procurement shall include a description of the intended procurement, any conditions that suppliers must fulfill to participate in the procurement, the name of the entity, the address where all documents relating to the procurement may be obtained and the time-limits for submission of tenders.
3. Each Party shall endeavor to ensure that its entities make publicly available notices of procurement in a timely manner through means which offer the widest possible and non-discriminatory access to interested suppliers. These means may be accessible free of charge, through a single electronic point of access.
4. If, after making publicly available a notice of procurement in any case of intended procurement, but before the time set for opening or receipt of tenders as specified in the notice or the tender documentation, it becomes necessary to amend or re-issue the notice, the amendment or the re-issued notice shall be made publicly available in the same manner as the original notice. Any significant information given to one supplier with respect to a particular intended procurement shall be given simultaneously to all other suppliers concerned in adequate time to permit the suppliers to consider such information and to respond to it.

Article 144

Time-Limits for Tendering

Each Party shall ensure that:

- (a) any prescribed time-limit is adequate to allow suppliers of the other Party as well as domestic suppliers to prepare and submit tenders before the closing of the tendering procedures; and
- (b) in determining any such time-limit, its entities, consistent with their own reasonable needs, take into account such factors as the complexity of the intended procurement, the extent of subcontracting anticipated, the normal time for transmitting tenders by mail from foreign as well as domestic points and the delays of making publicly available notices of procurement.

Article 145
Tender Documentation

1. Tender documentation provided to suppliers shall contain all information necessary to permit them to submit responsive tenders.
2. Each Party shall ensure that its entities make tender documentation accessible, or, upon request, forward the tender documentation, to any supplier participating in the tendering procedure, and reply promptly to any reasonable request for explanations relating thereto.
3. Each Party shall endeavor to ensure that its entities reply promptly to any reasonable request for relevant information submitted by a supplier participating in the tendering procedure, on condition that such information does not give that supplier an advantage over its competitors in the procedure for the award of the contract. The information provided to a supplier may be provided to any other suppliers that are invited to tender.

Article 146
Awarding of Contracts

1. To be considered for award, a tender must, at the time of opening, conform to the essential requirements of the notice of procurement or tender documentation and be from a supplier which complies with the conditions for participation. If an entity has received a tender abnormally lower or otherwise exceptionally more advantageous than other tenders submitted, it may enquire with the tenderer to ensure that the tenderer can comply with the conditions of participation and be capable of fulfilling the terms of the contract.
2. Unless in the public interest an entity decides not to issue the contract, the entity shall make the award to the tenderer who has been determined to be fully capable of undertaking the contract and whose tender is either the lowest tender or determined to be the most advantageous in terms of the specific evaluation criteria set forth in the notice of procurement or tender documentation.

Article 147
Other Tendering Procedures

1. Articles 141 through 146 need not apply in the following conditions, provided that the tendering under this Article is not used by entities of a Party with a view to avoiding maximum possible competition or in a manner which would constitute a means of discrimination against the suppliers of the other Party or protection to domestic producers or suppliers:

- (a) in the absence of tenders in response to the tender pursuant to Articles 141 through 146, or when the tenders submitted have been collusive in accordance with the laws and regulations of the former Party, or not in conformity with the essential requirements in the tender, or from suppliers who do not comply with the conditions for participation provided for in accordance with this Chapter, on condition that the requirements of the initial tender are not substantially modified in the contract as awarded;
- (b) when, for works of art or for reasons connected with the protection of exclusive rights, such as patents or copyrights, or in the absence of competition for technical reasons, the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute exists;
- (c) in so far as is strictly necessary when, for reasons of extreme urgency brought about by events unforeseeable by the entity, the goods or services could not be obtained in time by means of the tendering procedures pursuant to Articles 141 through 146;
- (d) for additional deliveries by the original supplier that are intended either as parts replacement for existing supplies, or installations, or as the extension of existing supplies, services, or installations, where a change of supplier would compel the entity to procure goods or services not meeting requirements of interchangeability with existing equipment, software, services or installations;
- (e) when an entity procures prototypes or a first good or service which are developed at its request in the course of, and for, a particular contract for research, experiment, study or original development;

Note: Original development of a first good or service may include limited production or supply in order to incorporate the results of field testing and to demonstrate that the good or service is suitable for production or supply in quantity to acceptable quality standards. It does not extend to quantity production or supply to establish commercial viability or to recover research and development costs.

- (f) when additional construction services which were not included in the initial contract but which were within the objectives of the original tender documentation have, due to unforeseeable circumstances, become necessary to complete the construction services described therein, provided that the total value of contracts awarded for additional construction services may not exceed 50 percent of the amount of the initial contract;
- (g) for new construction services consisting of the repetition of similar construction services which conform to a basic project for which an initial contract was awarded in accordance with Articles 141 through 146 and for which the entity has indicated in the notice of procurement concerning the initial construction service, that the

tendering procedures under this Article might be used in awarding contracts for such new construction services;

- (h) for goods purchased on a commodity market;
- (i) for purchases made under exceptionally advantageous conditions which only arise in the very short term. This provision is intended to cover unusual disposals by enterprises which are not normally suppliers, or disposal of assets of businesses in liquidation or receivership. It is not intended to cover routine purchases from regular suppliers; and
- (j) in the case of contracts awarded to the winner of design contest provided that the contest has been organized in a manner which is consistent with the principles of this Chapter and that the contest is judged by an independent jury with a view to design contracts being awarded to the winners.

2. Each Party shall ensure that, whenever it is necessary for its entities to resort to the tendering procedures under paragraph 1, the entities maintain a record or prepare a written report providing specific justification for such procedures.

Article 148 **Post-Award Information**

1. Each Party shall ensure that its entities make publicly available, in an appropriate publication listed in Part 7 of Annex 14, after the award of each contract, information such as:

- (a) the nature and quantity of goods or services in the contract award;
- (b) the name and address of the entity awarding the contract;
- (c) the date of award;
- (d) the name and address of the winning tenderer;
- (e) the value of the winning award; and
- (f) the type of procedure used.

2. Each Party shall ensure that its entities, on request from a supplier of a Party, promptly provide information including:

- (a) pertinent information concerning the reasons why the supplier's application to qualify was rejected, why its existing qualification was brought to an end and why it was not selected; and
- (b) when the supplier is an unsuccessful tenderer, pertinent information concerning the reasons why its tender was not selected and on the characteristics and relative advantages of the tender selected as well as the name of the winning tenderer.

3. Where a supplier of a Party is an unsuccessful tenderer, the Party may seek, without prejudice to the provisions under Chapter 16, such additional information on the contract award, as may be necessary to ensure that the procurement was made fairly and impartially. The other Party shall provide information on both the characteristics and relative advantages of the winning tender and the contract price. Normally this latter information may be disclosed by the former Party provided it exercises this right with discretion. In cases where release of this information would prejudice competition in future tenders, this information shall be confidential and not be disclosed except after consultation with and agreement of the other Party.

Article 149 **Challenge Procedures**

1. In the event of a complaint by a supplier that there has been a breach of this Chapter in the context of a government procurement, the procuring entity shall accord impartial and timely consideration to any such complaint, in a manner that is not prejudicial to obtaining corrective measures under the challenge system.

2. Each Party shall provide non-discriminatory, timely, transparent and effective procedures enabling suppliers to challenge alleged breaches of this Chapter arising in the context of procurements in which they have, or have had, an interest.

3. Each Party shall provide its challenge procedures in writing and make them generally available.

4. Each Party shall ensure that documentation relating to all aspects of the process concerning government procurement covered by this Chapter shall be retained at least for three years.

5. The interested supplier may be required to initiate a challenge procedure and notify the procuring entity within specified time-limits from the time when the basis of the complaint is known or reasonably should have been known, but in no case within a period of less than 10 days.

6. Challenges shall be heard by an impartial and independent reviewing authority with no interest in the outcome of the government procurement and the members of which are secure from external influence during the term of appointment. A reviewing authority which is not a

court shall either be subject to judicial review or shall have procedures which provide at least the following:

- (a) participants can be heard before an opinion is given or a decision is reached;
- (b) participants can be represented and accompanied;
- (c) participants shall have access to all proceedings;
- (d) proceedings can take place in public;
- (e) opinions or decisions are given in writing with a statement describing the basis for the opinions or decisions;
- (f) witnesses can be presented; and
- (g) documents are disclosed to the reviewing authority.

7. Challenge procedures shall provide for:

- (a) rapid interim measures to correct breaches of this Chapter and to preserve commercial opportunities. Such action may result in suspension of the procurement process. However, procedures may provide that overriding adverse consequences for the interests concerned, including the public interest, may be taken into account in deciding whether such measures should be applied;
- (b) an assessment and, where appropriate, a decision on the justification of the challenge; and
- (c) where appropriate, correction of breaches of this Chapter or compensation for the loss or damages suffered, which may be limited to costs for tender preparation or protest.

8. With a view to the preservation of the commercial and other interests involved, the challenge procedure shall normally be completed within a reasonable time.

Article 150 **Use of Electronic Communications in Procurement**

1. The Parties shall seek to provide opportunities for government procurement to be undertaken through the Internet or a comparable computer-based telecommunications network.

2. In order to facilitate commercial opportunities for its suppliers under this Chapter, each Party shall endeavor to adopt or maintain a single electronic portal for access to comprehensive information on government procurement supply opportunities in its Area, and information on measures relating to government procurement shall be available.

3. The Parties shall encourage, to the extent possible, the use of electronic means for the provision of tender documents and the receipt of tenders.

4. The Parties shall endeavor to ensure the adoption of policies and procedures for the use of electronic means in government procurement that:

- (a) protect documentation from unauthorized and undetected alteration; and
- (b) provide appropriate levels of security for data on, and passing through, the procuring entity's network.

Article 151 **Exceptions**

Subject to the requirement that such measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between the Parties where the same conditions prevail, or a disguised restriction on trade, nothing in this Chapter shall be construed to prevent a Party from imposing, enforcing or maintaining measures:

- (a) necessary to protect public morals, order or safety;
- (b) necessary to protect human, animal or plant life or health;
- (c) necessary to protect intellectual property; or
- (d) relating to goods or services of handicapped persons, of philanthropic institutions, or of prison labor.

Article 152 **Rectifications or Modifications**

1. A Party shall notify the other Party of its rectifications, or in exceptional cases, other modifications relating to Annex 14 along with the information as to the likely consequences of the change for the mutually agreed coverage provided in this Chapter.

2. If the rectifications or other modifications are of a purely formal or minor nature, notwithstanding Article 197, they shall become effective provided that no objection from the other Party has been raised within 30 days. In other cases, both Parties shall consult the proposal and any claim for compensatory adjustments with a view to maintaining a balance of rights and obligations and a comparable level of mutually agreed coverage provided in this Chapter prior to such rectification or other modification.

3. In the event of an agreement between the Parties not being reached, the Party which has received such notification may have recourse to the dispute settlement procedure under Chapter 16.

Note: Notwithstanding any other provision of this Chapter, a Party may undertake reorganizations of its entities, including programs through which the procurement of such entities is decentralized or the corresponding government functions cease to be performed by any government entity, whether or not subject to this Chapter. In cases of reorganizations, compensation need not be proposed. Neither Party shall undertake such reorganizations to avoid the obligations of this Chapter.

Article 153 Privatization of Entities

When government control at the central or national government level over an entity specified in Part 1 of Annex 14 has been effectively eliminated, notwithstanding that the government may possess holding thereof or appoint member of the board of directors thereto, this Chapter shall no longer apply to that entity and compensation need not be proposed. A Party shall notify the other Party of the name of such entity before elimination of government control or as soon thereafter as possible.

Article 154 Denial of Benefits

1. A Party may deny the benefits of this Chapter to an enterprise of the other Party if the enterprise is owned or controlled by persons of a non-Party and the former Party:

- (a) does not maintain diplomatic relations with the non-Party; or
- (b) adopts or maintains measures with respect to the non-Party that prohibit transactions with the enterprise or that would be violated or circumvented if the benefits of this Chapter were accorded to the enterprise.

2. Subject to prior notification and consultation, a Party may deny the benefits of this Chapter to a supplier of the other Party that is an enterprise of the other Party where the denying Party establishes that the enterprise is owned or controlled by persons of a non-Party and has no substantial business activities in the Area of the other Party.

Article 155

Further Negotiations

In the event that after the entry into force of this Agreement a Party offers a non-Party additional advantages of access to its government procurement market beyond what the other Party has been provided with under this Chapter, the former Party shall, upon request of the other Party, enter into negotiations with the other Party with a view to extending those advantages to the other Party on a reciprocal basis.

Article 156

Committee on Government Procurement

1. For the purposes of the effective implementation and operation of this Chapter, the Parties hereby establish a Committee on Government Procurement (hereinafter referred to in this Article as “Committee”).
2. The functions of the Committee shall be:
 - (a) reviewing and monitoring the implementation and operation of this Chapter;
 - (b) analyzing available information on each Party’s government procurement market;
 - (c) reporting the findings of the Committee to the Commission; and
 - (d) carrying out other functions as may be delegated by the Commission in accordance with Article 190.
3. The Committee shall be composed of government officials of the Parties.
4. The Committee shall meet at such venues and times as may be agreed by the Parties.

Article 157

Definition

For the purposes of this Chapter, the term “supplier” means a person that provides or could provide goods or services to an entity.

**Annex 14
referred to in Chapter 12**

Government Procurement

**Part 1
Entities**

**Section 1
Covered Entities of Japan**

Chapter 12 shall apply to entities covered by Annexes 1 through 3 of Japan's Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement except:

- Japan National Oil Corporation
- Hokkaido Railway Company
- East Japan Railway Company
- Central Japan Railway Company
- West Japan Railway Company
- Shikoku Railway Company
- Kyushu Railway Company
- Japan Freight Railway Company
- Japan Tobacco Inc.
- Nippon Telegraph and Telephone Co.
- Nippon Telegraph and Telephone East Co.
- Nippon Telegraph and Telephone West Co.
- Mutual Aid Fund for Official Casualties and Retirement of Volunteer Firemen

**Section 2
Covered Entities of Chile**

Subsection A

Chapter 12 shall apply to the following entities:

- *Presidencia de la República* (Office of the President of the Republic)
- *Ministerio del Interior* (Ministry of Interior)

- *Subsecretaría del Interior* (Vice-Ministry of Interior)
- *Subsecretaría de Desarrollo Regional y Administrativo* (Vice-Ministry of Regional and Administrative Development)
- *Oficina Nacional de Emergencia* (ONEMI)(National Bureau for Emergencies)
- *Consejo Nacional para el Control de Estupefacientes* (CONACE) (National Narcotics Control Council)
- *Servicio Electoral* (Bureau of Election)
- *Ministerio de Relaciones Exteriores* (Ministry of Foreign Affairs)
 - *Subsecretaría de Relaciones Exteriores* (Vice-Ministry of Foreign Affairs)
 - *Dirección General de Relaciones Económicas Internacionales* (DIRECON)(General Directorate for International Economic Affairs)
 - *Instituto Antártico Chileno* (INACH)(Chilean Institute for the Antarctica)
 - *Dirección Nacional de Fronteras y Límites del Estado* (DIFROL) (National Directorate of Borders and Frontiers of the State)
 - *Agencia de Cooperación Internacional de Chile* (AGCI)(International Cooperation Agency of Chile)
- *Ministerio de Defensa Nacional* (Ministry of National Defense)
 - *Subsecretaría de Guerra* (Vice-Ministry of Army Affairs)
 - *Subsecretaría de Marina* (Vice-Ministry of Navy Affairs)
 - *Subsecretaría de Aviación* (Vice-Ministry of the Air Force Affairs)
 - *Subsecretaría de Carabineros* (Vice-Ministry of Military Police Affairs)
 - *Subsecretaría de Investigaciones* (Vice-Ministry of Investigative Police)
 - *Dirección Administrativa de Ministerio de Defensa Nacional* (Administrative Directorate of the Ministry of National Defense)
 - *Dirección General de Aeronáutica Civil* (General Directorate for Civil Aeronautics)
 - *Dirección General de Movilización Nacional* (General Directorate for National Mobilization)
 - *Academia Nacional de Estudios Políticos y Estratégicos* (ANEPE)(National Academy of Political and Strategic Studies)
 - *Dirección General de Defensa Civil* (General Directorate for Civil Defense)

- *Ministerio de Hacienda* (Ministry of Finance)
 - *Subsecretaría de Hacienda* (Vice-Ministry of Finance)
 - *Dirección de Presupuestos* (Budget Office)
 - *Servicio de Impuestos Internos* (SII)(Internal Revenue Service)
 - *Tesorería General de la República* (General Treasury of the Republic)
 - *Servicio Nacional de Aduanas* (National Customs Service)
 - *Casa de Moneda* (National Mint)
 - *Dirección de Compras y Contratación Pública* (ChileCompra)(Government Procurement Directorate)
 - *Superintendencia de Bancos e Instituciones Financieras* (Superintendency of Banks and Financial Institutions)
 - *Superintendencia de Valores y Seguros* (Securities and Insurance Supervisor)
 - *Superintendencia de Casinos de Juegos* (Superintendency of Casinos)
 - *Dirección Nacional del Servicio Civil* (National Directorate for Civil Service)
- *Ministerio Secretaría General de la Presidencia* (Ministry of the General Secretariat of the President's Office)
 - *Subsecretaría General de la Presidencia* (General Vice-Ministry of the President's Office)
 - *Comisión Nacional del Medio Ambiente* (CONAMA)(National Environmental Commission)
 - *Servicio Nacional del Adulto Mayor* (National Bureau for the Elderly)
- *Ministerio Secretaría General de Gobierno* (Ministry of the General Secretariat of Government)
 - *Subsecretaría General de Gobierno* (Vice-Ministry of the General Secretariat of Government)
 - *Instituto Nacional de Deportes de Chile* (National Sports Institute of Chile)
 - *División de Organizaciones Sociales* (DOS)(Social Organizations Department)
 - *Secretaría de Comunicación y Cultura* (SECC)(Secretariat of Communication and Culture)
 - *Consejo Nacional de Televisión* (National Television Council)

- *Ministerio de Economía, Fomento y Reconstrucción* (Ministry of Economic Affairs, Development and Reconstruction)
 - *Subsecretaría de Economía* (Vice-Ministry of Economic Affairs)
 - *Subsecretaría de Pesca* (Vice-Ministry of Fishing)
 - *Comité de Inversiones Extranjeras* (Foreign Investments Committee)
 - *Servicio Nacional del Consumidor* (SERNAC) (National Consumers Bureau)
 - *Fiscalía Nacional Económica* (National Economic Prosecutor's Office)
 - *Instituto Nacional de Estadísticas* (INE)(National Statistics Institute)
 - *Servicio Nacional de Pesca* (SERNAPESCA)(National Fisheries Bureau)
 - *Servicio Nacional de Turismo* (SERNATUR)(National Tourism Bureau)
 - *Superintendencia de Electricidad y Combustible* (Superintendency for Electricity and Fuel)
 - *Instituto Nacional de Normalización* (INN) (National Standards Institute)
 - *Servicio de Cooperación Técnica* (SERCOTEC) (Technical Cooperation Bureau)
 - *Corporación de Fomento de la Producción* (CORFO) (Chilean Economic Development Agency)
- *Ministerio de Minería y Energía* (Ministry of Mining and Energy)
 - *Subsecretaría de Minería* (Vice-Ministry of Mining)
 - *Comisión Chilena de Energía Nuclear* (CCHEN) (Chilean Nuclear Energy Commission)
 - *Comisión Chilena del Cobre* (COCHILCO)(Chilean Copper Commission)
 - *Comisión Nacional de Energía* (National Energy Commission)
 - *Servicio Nacional de Geología y Minería* (SERNAGEOMIN) (National Bureau for Geology and Mining)
- *Ministerio de Planificación y Cooperación* (Ministry of Planning and Cooperation)
 - *Subsecretaría de Planificación y Cooperación* (Vice-Ministry of Planning and Cooperation)
 - *Corporación Nacional Desarrollo Indígena* (CONADI) (National Corporation for the Development of Indigenous Peoples)

- *Fondo de Solidaridad e Inversión Social (FOSIS)* (Social Solidarity and Investment Fund)
- *Fondo Nacional de la Discapacidad (FONADIS)* (National Fund for Disabilities)
- *Instituto Nacional de la Juventud (INJUV)* (National Institute for Young People)
- *Ministerio de Educación* (Ministry of Education)
 - *Subsecretaría de Educación* (Vice-Ministry of Education)
 - *Comisión Nacional de Investigación Científica y Tecnológica (CONICYT)*(National Commission for Scientific and Technological Research)
 - *Dirección de Bibliotecas, Archivos y Museos (DIBAM)*(Directorate for Libraries, Archives and Museums)
 - *Junta Nacional de Auxilio Escolar y Becas (JUNAEB)*(National Board for Educational Assistance and Scholarships)
 - *Junta Nacional de Jardines Infantiles (JUNJI)* (National Board for Nursery Schools)
- *Consejo Nacional de la Cultura y las Artes* (National Council for Culture and Arts)
- *Ministerio de Justicia* (Ministry of Justice)
 - *Subsecretaría de Justicia* (Vice-Ministry of Justice)
 - *Corporaciones de Asistencia Judicial* (Legal Aid Corporations)
 - *Servicio Registro Civil e Identificación* (Civil Registry and Identification Bureau)
 - *Superintendencia de Quiebras* (Superintendency of Bankruptcy)
 - *Servicio Médico Legal* (Legal Medical Service)
 - *Servicio Nacional de Menores (SENAME)*(National Bureau for Minors)
 - *Dirección Nacional de Gendarmería* (National Directorate of Prison Wardens)
 - *Defensoría Penal Pública* (Public Defendant's Office)
- *Ministerio de Trabajo y Previsión Social* (Ministry of Labor and Social Welfare)
 - *Subsecretaría del Trabajo* (Vice-Ministry of Labor)
 - *Subsecretaría de Previsión Social* (Vice-Ministry of Social Welfare)

- *Dirección del Trabajo* (Directorate of Labor)
- *Dirección General del Crédito Prendario* (General Directorate for Chattel-Secured Loans)
- *Instituto de Normalización Previsional* (INP) (Institute for Pension Normalization)
- *Servicio Nacional de Capacitación y Empleo* (SENCE)(National Bureau for Training and Employment)
- *Superintendencia de Administradoras de Fondos de Pensiones* (Superintendency of Pension Fund Administrators)
- *Superintendencia de Seguridad Social* (Superintendency of Social Security)
- *Ministerio de Obras Públicas* (Ministry of Public Works)
 - *Subsecretaría de Obras Públicas* (Vice-Ministry of Public Works)
 - *Dirección General de Obras Públicas* (General Directorate for Public Works)
 - *Dirección General de Aguas* (General Directorate of Waters)
 - *Coordinación General de Concesiones* (General Coordination of Concessions)
 - *Dirección de Aeropuertos* (Directorate of Airports)
 - *Dirección de Arquitectura* (Directorate of Architecture)
 - *Dirección de Obras Portuarias* (Directorate of Port Works)
 - *Dirección de Planeamiento* (Directorate of Planning)
 - *Dirección de Obras Hidráulicas* (Directorate of Hydraulic Works)
 - *Dirección de Vialidad* (Directorate of Highway and Road)
 - *Dirección General de Contabilidad y Finanzas* (General Directorate of Accounting and Finances)
 - *Instituto Nacional de Hidráulica* (National Hydraulics Institute)
 - *Superintendencia de Servicios Sanitarios* (Superintendency of Sanitation Service)
- *Ministerio de Transportes y Telecomunicaciones* (Ministry of Transport and Telecommunications)
 - *Subsecretaría de Transportes* (Vice-Ministry of Transport)
 - *Subsecretaría de Telecomunicaciones* (Vice-Ministry of Telecommunications)

- *Junta de Aeronáutica Civil* (Civil Aviation Board)
- *Comisión Nacional de Seguridad de Tránsito* (CONASET)(National Commission for Traffic Security)
- *Ministerio de Salud* (Ministry of Health)
 - *Subsecretaría de Salud* (Vice-Ministry of Health)
 - *Central de Abastecimientos del Sistema Nacional Servicios de Salud* (CENABAST)(Center of Procurement for the National Health Services System)
 - *Fondo Nacional de Salud* (FONASA)(National Health Care Fund)
 - *Instituto de Salud Pública* (ISP)(Public Health Institute)
 - *Superintendencia de Salud* (Superintendency of Health)
 - *Servicio de Salud Arica* (Arica Health Care Service)
 - *Servicio de Salud Iquique* (Iquique Health Care Service)
 - *Servicio de Salud Antofagasta* (Antofagasta Health Care Service)
 - *Servicio de Salud Atacama* (Atacama Health Care Service)
 - *Servicio de Salud Coquimbo* (Coquimbo Health Care Service)
 - *Servicio de Salud Valparaíso-San Antonio* (Valparaíso-San Antonio Health Care Service)
 - *Servicio de Salud Viña del Mar-Quillota* (Viña del Mar-Quillota Health Care Service)
 - *Servicio de Salud Aconcagua* (Aconcagua Health Care Service)
 - *Servicio de Salud Libertador General Bernardo O'Higgins* (Libertador General Bernardo O'Higgins Health Care Service)
 - *Servicio de Salud Maule* (Maule Health Care Service)
 - *Servicio de Salud Ñuble* (Ñuble Health Care Service)
 - *Servicio de Salud Concepción* (Concepción Health Care Service)
 - *Servicio de Salud Talcahuano* (Talcahuano Health Care Service)
 - *Servicio de Salud Bío-Bío* (Bío-Bío Health Care Service)
 - *Servicio de Salud Araucanía Norte* (Araucanía Norte Health Care Service)
 - *Servicio de Salud Araucanía Sur* (Araucanía Sur Health Care Service)

- *Servicio de Salud Valdivia* (Valdivia Health Care Service)
- *Servicio de Salud Osorno* (Osorno Health Care Service)
- *Servicio de Salud Llanquihue-Chiloé-Palena* (Llanquihue-Chiloé-Palena Health Care Service)
- *Servicio de Salud Aysén* (Aysén Health Care Service)
- *Servicio de Salud Magallanes* (Magallanes Health Care Service)
- *Servicio de Salud Metropolitano Oriente* (East Metropolitan Area Health Care Service)
- *Servicio de Salud Metropolitano Central* (Central Metropolitan Area Health Care Service)
- *Servicio de Salud Metropolitano Sur* (South Metropolitan Area Health Care Service)
- *Servicio de Salud Metropolitano Norte* (North Metropolitan Area Health Care Service)
- *Servicio de Salud Metropolitano Occidente* (West Metropolitan Area Health Care Service)
- *Servicio de Salud Metropolitano Sur-Oriente* (South-East Metropolitan Area Health Care Service)
- *Servicio de Salud Metropolitano del Ambiente* (SESMA)(Metropolitan Environmental Health Service)
- *Ministerio de la Vivienda y Urbanismo* (Ministry of Housing and Urban Planning)
 - *Subsecretaría de Vivienda* (Vice-Ministry of Housing)
 - *Parque Metropolitano de Santiago* (Santiago Metropolitan Park)
 - *Servicios Regionales de Vivienda y Urbanismo* (Regional Housing and Urban Planning Services)
- *Ministerio de Bienes Nacionales* (Ministry of National Assets)
 - *Subsecretaría de Bienes Nacionales* (Vice-Ministry of National Assets)
- *Ministerio de Agricultura* (Ministry of Agriculture)
 - *Subsecretaría de Agricultura* (Vice-Ministry of Agriculture)
 - *Comisión Nacional de Riego* (CNR)(National Irrigation Commission)
 - *Corporación Nacional Forestal* (CONAF)(National Forestry Corporation)

- *Instituto de Desarrollo Agropecuario (INDAP) (Agriculture and Livestock Development Institute)*
- *Oficina de Estudios y Políticas Agrícolas (ODEPA) (Bureau of Agrarian Studies and Agricultural Policy)*
- *Servicio Agrícola y Ganadero (SAG)(Agriculture and Livestock Service)*
- *Centro de Información de Recursos Naturales (CIREN)(Natural Resources Information Center)*
- *Instituto Forestal de Chile (Chilean Forest Institute)*
- *Instituto Investigaciones Agropecuarias (INIA) (Agriculture and Livestock Research Institute)*
- *Servicio Nacional de la Mujer (National Bureau for Women)*
- *Gobiernos Regionales (Regional Governments)*
 - *Intendencia de Tarapacá(Intendency of Tarapacá)*
 - *Gobernación de Iquique (Governor's Office - Iquique)*
 - *Gobernación de Tamarugal Governor's Office – Tamarugal)*
 - *Intendencia de Antofagasta(Intendency of Antofagasta)*
 - *Gobernación de Antofagasta (Governor's Office - Antofagasta)*
 - *Gobernación de El Loa (Governor's Office - El Loa)*
 - *Gobernación de Tocopilla (Governor's Office - Tocopilla)*
 - *Intendencia de Atacama(Intendency of Atacama)*
 - *Gobernación de Chañaral (Governor's Office - Chañaral)*
 - *Gobernación de Copiapó (Governor's Office - Copiapó)*
 - *Gobernación de Huasco (Governor's Office - Huasco)*
 - *Intendencia de Coquimbo(Intendency of Coquimbo)*
 - *Gobernación de El Elqui (Governor's Office - El Elqui)*
 - *Gobernación de Limarí (Governor's Office - Limarí)*
 - *Gobernación de Choapa (Governor's Office - Choapa)*
 - *Intendencia de Valparaíso (Intendency of Valparaíso)*

- *Gobernación de Petorca* (Governor's Office - Petorca)
- *Gobernación de Valparaíso* (Governor's Office - Valparaíso)
- *Gobernación de San Felipe de Aconcagua* (Governor's Office - San Felipe de Aconcagua)
- *Gobernación de Los Andes* (Governor's Office - Los Andes)
- *Gobernación de Quillota* (Governor's Office - Quillota)
- *Gobernación de San Antonio* (Governor's Office - San Antonio)
- *Gobernación de Isla de Pascua* (Governor's Office - Isla de Pascua)
- *Intendencia del Libertador Bernardo O'Higgins* (Intendency of Libertador Bernardo O'Higgins)
- *Gobernación de Cachapoal* (Governor's Office - Cachapoal)
- *Gobernación de Colchagua* (Governor's Office - Colchagua)
- *Gobernación de Cardenal Caro* (Governor's Office - Cardenal Caro)
- *Intendencia del Maule* (Intendency of Maule)
- *Gobernación de Curicó* (Governor's Office - Curicó)
- *Gobernación de Talca* (Governor's Office - Talca)
- *Gobernación de Linares* (Governor's Office - Linares)
- *Gobernación de Cauquenes* (Governor's Office - Cauquenes)
- *Intendencia del Bío Bío* (Intendency of Bío Bío)
- *Gobernación de Ñuble* (Governor's Office - Ñuble)
- *Gobernación de Bío-Bío* (Governor's Office - Bío-Bío)
- *Gobernación de Concepción* (Governor's Office - Concepción)
- *Gobernación de Arauco* (Governor's Office - Arauco)
- *Intendencia de la Araucanía*(Intendency of La Araucanía)
- *Gobernación de Malleco* (Governor's Office - Malleco)
- *Gobernación de Cautín* (Governor's Office - Cautín)
- *Intendencia de Los Lagos* (Intendency of Los Lagos)

- *Gobernación de Valdivia* (Governor's Office - Valdivia)
- *Gobernación de Osorno* (Governor's Office - Osorno)
- *Gobernación de Llanquihue* (Governor's Office - Llanquihue)
- *Gobernación de Chiloé* (Governor's Office - Chiloé)
- *Gobernación de Palena* (Governor's Office - Palena)
- *Intendencia de Aysén del General Carlos Ibáñez del Campo* (Intendency of Aysén del General Carlos Ibáñez del Campo)
- *Gobernación de Coihaique* (Governor's Office - Coihaique)
- *Gobernación de Aysén* (Governor's Office - Aysén)
- *Gobernación de General Carrera* (Governor's Office - General Carrera)
- *Gobernación de Capitán Prat* (Governor's Office - Capitán Prat)
- *Intendencia de Magallanes y de la Antártica Chilena* (Intendency of Magallanes y de la Antártica Chilena)
- *Gobernación de Ultima Esperanza* (Governor's Office - Ultima Esperanza)
- *Gobernación de Magallanes* (Governor's Office - Magallanes)
- *Gobernación de Tierra del Fuego* (Governor's Office - Tierra del Fuego)
- *Gobernación de Antártica Chilena* (Governor's Office - Antártica Chilena)
- *Intendencia Metropolitana* (Metropolitan Intendency)
- *Gobernación de Chacabuco* (Governor's Office - Chacabuco)
- *Gobernación de Cordillera* (Governor's Office - Cordillera)
- *Gobernación de Maipo* (Governor's Office - Maipo)
- *Gobernación de Talagante* (Governor's Office - Talagante)
- *Gobernación de Melipilla* (Governor's Office - Melipilla)
- *Gobernación de Santiago* (Governor's Office - Santiago)
- *Intendencia de Los Ríos* (Intendency of Los Ríos)
- *Gobernación de Valdivia* (Governor's Office – Valdivia)
- *Gobernación de Ranco* (Governor's Office – Ranco)
- *Intendencia de Arica y Parinacota* (Intendency of Arica y Parinacota)

- *Gobernación de Arica* (Governor's Office – Arica)
- *Gobernación de Parinacota* (Governor's Office – Parinacota)

Notes to Subsection A:

1. The above entities include their subordinate linear organizations, regional and sub-regional subdivisions, provided that they do not have an industrial or commercial character.
2. For further clarity, Chapter 12 covers all entities dependent upon the General Directorate for Civil Aeronautics (*Dirección General de Aeronáutica Civil*) which have as their activity the provision of airport or other terminal facilities to carriers by air.

Subsection B

Chapter 12 shall apply to the following entities:

- *Municipalidad de Arica* (Municipality of Arica)
- *Municipalidad de Iquique* (Municipality of Iquique)
- *Municipalidad de Alto Hospicio* (Municipality of Alto Hospicio)
- *Municipalidad de Pozo Almonte* (Municipality of Pozo Almonte)
- *Municipalidad de Pica* (Municipality of Pica)
- *Municipalidad de Huara* (Municipality of Huara)
- *Municipalidad de Camarones* (Municipality of Camarones)
- *Municipalidad de Putre* (Municipality of Putre)
- *Municipalidad de General Lagos* (Municipality of General Lagos)
- *Municipalidad de Camiña* (Municipality of Camiña)
- *Municipalidad de Colchane* (Municipality of Colchane)
- *Municipalidad de Tocopilla* (Municipality of Tocopilla)
- *Municipalidad de Antofagasta* (Municipality of Antofagasta)
- *Municipalidad de Mejillones* (Municipality of Mejillones)
- *Municipalidad de Taltal* (Municipality of Taltal)

- *Municipalidad de Calama* (Municipality of Calama)
- *Municipalidad de Ollagüe* (Municipality of Ollagüe)
- *Municipalidad de Maria Elena* (Municipality of Maria Elena)
- *Municipalidad de San Pedro De Atacama* (Municipality of San Pedro De Atacama)
- *Municipalidad de Sierra Gorda* (Municipality of Sierra Gorda)
- *Municipalidad de Copiapó* (Municipality of Copiapó)
- *Municipalidad de Caldera* (Municipality of Caldera)
- *Municipalidad de Tierra Amarilla* (Municipality of Tierra Amarilla)
- *Municipalidad de Chañaral* (Municipality of Chañaral)
- *Municipalidad de Diego De Almagro* (Municipality of Diego De Almagro)
- *Municipalidad de Vallenar* (Municipality of Vallenar)
- *Municipalidad de Freirina* (Municipality of Freirina)
- *Municipalidad de Huasco* (Municipality of Huasco)
- *Municipalidad de Alto Del Carmen* (Municipality of Alto Del Carmen)
- *Municipalidad de La Serena* (Municipality of La Serena)
- *Municipalidad de La Higuera* (Municipality of La Higuera)
- *Municipalidad de Vicuña* (Municipality of Vicuña)
- *Municipalidad de Paihuano* (Municipality of Paihuano)
- *Municipalidad de Coquimbo* (Municipality of Coquimbo)
- *Municipalidad de Andacollo* (Municipality of Andacollo)
- *Municipalidad de Ovalle* (Municipality of Ovalle)
- *Municipalidad de Río Hurtado* (Municipality of Río Hurtado)
- *Municipalidad de Monte Patria* (Municipality of Monte Patria)
- *Municipalidad de Punitaqui* (Municipality of Punitaqui)
- *Municipalidad de Combarbalá* (Municipality of Combarbalá)
- *Municipalidad de Illapel* (Municipality of Illapel)
- *Municipalidad de Salamanca* (Municipality of Salamanca)

- *Municipalidad de Los Vilos* (Municipality of Los Vilos)
- *Municipalidad de Canela* (Municipality of Canela)
- *Municipalidad de Valparaíso* (Municipality of Valparaíso)
- *Municipalidad de Viña Del Mar* (Municipality of Viña Del Mar)
- *Municipalidad de Quilpue* (Municipality of Quilpue)
- *Municipalidad de Villa Alemana* (Municipality of Villa Alemana)
- *Municipalidad de Casablanca* (Municipality of Casablanca)
- *Municipalidad de Quintero* (Municipality of Quintero)
- *Municipalidad de Puchuncaví* (Municipality of Puchuncaví)
- *Municipalidad de Quillota* (Municipality of Quillota)
- *Municipalidad de La Calera* (Municipality of La Calera)
- *Municipalidad de La Cruz* (Municipality of La Cruz)
- *Municipalidad de Hijuelas* (Municipality of Hijuelas)
- *Municipalidad de Nogales* (Municipality of Nogales)
- *Municipalidad de Limache* (Municipality of Limache)
- *Municipalidad de Olmué* (Municipality of Olmué)
- *Municipalidad de Isla De Pascua* (Municipality of Easter Island)
- *Municipalidad de San Antonio* (Municipality of San Antonio)
- *Municipalidad de Santo Domingo* (Municipality of Santo Domingo)
- *Municipalidad de Cartagena* (Municipality of Cartagena)
- *Municipalidad de El Tabo* (Municipality of El Tabo)
- *Municipalidad de El Quisco* (Municipality of El Quisco)
- *Municipalidad de Algarrobo* (Municipality of Algarrobo)
- *Municipalidad de San Felipe* (Municipality of San Felipe)
- *Municipalidad de Santa María* (Municipality of Santa María)
- *Municipalidad de Putaendo* (Municipality of Putaendo)

- *Municipalidad de Catemu* (Municipality of Catemu)
- *Municipalidad de Panquehue* (Municipality of Panquehue)
- *Municipalidad de Llay – Llay* (Municipality of Llay – Llay)
- *Municipalidad de Los Andes* (Municipality of Los Andes)
- *Municipalidad de San Esteban* (Municipality of San Esteban)
- *Municipalidad de Calle Larga* (Municipality of Calle Larga)
- *Municipalidad de Rinconada* (Municipality of Rinconada)
- *Municipalidad de La Ligua* (Municipality of La Ligua)
- *Municipalidad de Cabildo* (Municipality of Cabildo)
- *Municipalidad de Petorca* (Municipality of Petorca)
- *Municipalidad de Papudo* (Municipality of Papudo)
- *Municipalidad de Zapallar* (Municipality of Zapallar)
- *Municipalidad de Juan Fernández* (Municipality of Juan Fernández)
- *Municipalidad de Con – Con* (Municipality of Con – Con)
- *Municipalidad de Buin* (Municipality of Buin)
- *Municipalidad de Calera De Tango* (Municipality of Calera De Tango)
- *Municipalidad de Colina* (Municipality of Colina)
- *Municipalidad de Curacaví* (Municipality of Curacaví)
- *Municipalidad de El Monte* (Municipality of El Monte)
- *Municipalidad de Isla De Maipo* (Municipality of Isla De Maipo)
- *Municipalidad de Pudahuel* (Municipality of Pudahuel)
- *Municipalidad de La Cisterna* (Municipality of La Cisterna)
- *Municipalidad de Las Condes* (Municipality of Las Condes)
- *Municipalidad de La Florida* (Municipality of La Florida)
- *Municipalidad de La Granja* (Municipality of La Granja)
- *Municipalidad de Lampa* (Municipality of Lampa)
- *Municipalidad de Conchalí* (Municipality of Conchalí)

- *Municipalidad de La Reina* (Municipality of La Reina)
- *Municipalidad de Maipú* (Municipality of Maipú)
- *Municipalidad de Estación Central* (Municipality of Estación Central)
- *Municipalidad de Melipilla* (Municipality of Melipilla)
- *Municipalidad de Ñuñoa* (Municipality of Ñuñoa)
- *Municipalidad de Paine* (Municipality of Paine)
- *Municipalidad de Peñaflores* (Municipality of Peñaflores)
- *Municipalidad de Pirque* (Municipality of Pirque)
- *Municipalidad de Providencia* (Municipality of Providencia)
- *Municipalidad de Puente Alto* (Municipality of Puente Alto)
- *Municipalidad de Quilicura* (Municipality of Quilicura)
- *Municipalidad de Quinta Normal* (Municipality of Quinta Normal)
- *Municipalidad de Renca* (Municipality of Renca)
- *Municipalidad de San Bernardo* (Municipality of San Bernardo)
- *Municipalidad de San José De Maipo* (Municipality of San José De Maipo)
- *Municipalidad de San Miguel* (Municipality of San Miguel)
- *Municipalidad de Santiago* (Municipality of Santiago)
- *Municipalidad de Talagante* (Municipality of Talagante)
- *Municipalidad de Til Til* (Municipality of Til Til)
- *Municipalidad de Alhué* (Municipality of Alhué)
- *Municipalidad de San Pedro* (Municipality of San Pedro)
- *Municipalidad de María Pinto* (Municipality of María Pinto)
- *Municipalidad de San Ramón* (Municipality of San Ramón)
- *Municipalidad de La Pintana* (Municipality of La Pintana)
- *Municipalidad de Macul* (Municipality of Macul)
- *Municipalidad de Peñalolen* (Municipality of Peñalolen)

- *Municipalidad de Lo Prado* (Municipality of Lo Prado)
- *Municipalidad de Cerro Navia* (Municipality of Cerro Navia)
- *Municipalidad de San Joaquín* (Municipality of San Joaquín)
- *Municipalidad de Cerrillos* (Municipality of Cerrillos)
- *Municipalidad de El Bosque* (Municipality of El Bosque)
- *Municipalidad de Recoleta* (Municipality of Recoleta)
- *Municipalidad de Vitacura* (Municipality of Vitacura)
- *Municipalidad de Lo Espejo* (Municipality of Lo Espejo)
- *Municipalidad de Lo Barnechea* (Municipality of Lo Barnechea)
- *Municipalidad de Independencia* (Municipality of Independencia)
- *Municipalidad de Pedro Aguirre Cerda* (Municipality of Pedro Aguirre Cerda)
- *Municipalidad de Huechuraba* (Municipality of Huechuraba)
- *Municipalidad de Padre Hurtado* (Municipality of Padre Hurtado)
- *Municipalidad de Rancagua* (Municipality of Rancagua)
- *Municipalidad de Machalí* (Municipality of Machalí)
- *Municipalidad de Graneros* (Municipality of Graneros)
- *Municipalidad de Codegua* (Municipality of Codegua)
- *Municipalidad de Mostazal* (Municipality of Mostazal)
- *Municipalidad de Peumo* (Municipality of Peumo)
- *Municipalidad de Las Cabras* (Municipality of Las Cabras)
- *Municipalidad de San Vicente* (Municipality of San Vicente)
- *Municipalidad de Pichidegua* (Municipality of Pichidegua)
- *Municipalidad de Doñihue* (Municipality of Doñihue)
- *Municipalidad de Coltauco* (Municipality of Coltauco)
- *Municipalidad de Rengo* (Municipality of Rengo)
- *Municipalidad de Quinta De Tilcoco* (Municipality of Quinta De Tilcoco)
- *Municipalidad de Requínoa* (Municipality of Requínoa)

- *Municipalidad de Olivar* (Municipality of Olivar)
- *Municipalidad de Coinco* (Municipality of Coinco)
- *Municipalidad de Malloa* (Municipality of Malloa)
- *Municipalidad de San Fernando* (Municipality of San Fernando)
- *Municipalidad de Chimbarongo* (Municipality of Chimbarongo)
- *Municipalidad de Nancagua* (Municipality of Nancagua)
- *Municipalidad de Placilla* (Municipality of Placilla)
- *Municipalidad de Santa Cruz* (Municipality of Santa Cruz)
- *Municipalidad de Lolol* (Municipality of Lolol)
- *Municipalidad de Chépica* (Municipality of Chépica)
- *Municipalidad de Pumanque* (Municipality of Pumanque)
- *Municipalidad de Paredones* (Municipality of Paredones)
- *Municipalidad de Palmilla* (Municipality of Palmilla)
- *Municipalidad de Litueche* (Municipality of Litueche)
- *Municipalidad de Pichilemu* (Municipality of Pichilemu)
- *Municipalidad de Marchihue* (Municipality of Marchihue)
- *Municipalidad de La Estrella* (Municipality of La Estrella)
- *Municipalidad de Navidad* (Municipality of Navidad)
- *Municipalidad de Peralillo* (Municipality of Peralillo)
- *Municipalidad de Curicó* (Municipality of Curicó)
- *Municipalidad de Romeral* (Municipality of Romeral)
- *Municipalidad de Teno* (Municipality of Teno)
- *Municipalidad de Rauco* (Municipality of Rauco)
- *Municipalidad de Licantén* (Municipality of Licantén)
- *Municipalidad de Vichuquén* (Municipality of Vichuquén)
- *Municipalidad de Hualañé* (Municipality of Hualañé)

- *Municipalidad de Molina* (Municipality of Molina)
- *Municipalidad de Sagrada Familia* (Municipality of Sagrada Familia)
- *Municipalidad de Talca* (Municipality of Talca)
- *Municipalidad de San Clemente* (Municipality of San Clemente)
- *Municipalidad de Pelarco* (Municipality of Pelarco)
- *Municipalidad de Río Claro* (Municipality of Río Claro)
- *Municipalidad de Penciahue* (Municipality of Penciahue)
- *Municipalidad de Maule* (Municipality of Maule)
- *Municipalidad de Curepto* (Municipality of Curepto)
- *Municipalidad de Constitución* (Municipality of Constitución)
- *Municipalidad de Empedrado* (Municipality of Empedrado)
- *Municipalidad de San Javier* (Municipality of San Javier)
- *Municipalidad de Linares* (Municipality of Linares)
- *Municipalidad de Yerbas Buenas* (Municipality of Yerbas Buenas)
- *Municipalidad de Colbún* (Municipality of Colbún)
- *Municipalidad de Longaví* (Municipality of Longaví)
- *Municipalidad de Parral* (Municipality of Parral)
- *Municipalidad de Retiro* (Municipality of Retiro)
- *Municipalidad de Chanco* (Municipality of Chanco)
- *Municipalidad de Cauquenes* (Municipality of Cauquenes)
- *Municipalidad de Villa Alegre* (Municipality of Villa Alegre)
- *Municipalidad de Pelluhue* (Municipality of Pelluhue)
- *Municipalidad de San Rafael* (Municipality of San Rafael)
- *Municipalidad de Chillán* (Municipality of Chillán)
- *Municipalidad de Pinto* (Municipality of Pinto)
- *Municipalidad de Coihueco* (Municipality of Coihueco)
- *Municipalidad de Ranquil* (Municipality of Ranquil)

- *Municipalidad de Coelemu* (Municipality of Coelemu)
- *Municipalidad de Quirihue* (Municipality of Quirihue)
- *Municipalidad de Ninhue* (Municipality of Ninhue)
- *Municipalidad de Portezuelo* (Municipality of Portezuelo)
- *Municipalidad de Trehuaco* (Municipality of Trehuaco)
- *Municipalidad de Cobquecura* (Municipality of Cobquecura)
- *Municipalidad de Ñiquén* (Municipality of Ñiquén)
- *Municipalidad de San Fabián* (Municipality of San Fabián)
- *Municipalidad de San Nicolás* (Municipality of San Nicolás)
- *Municipalidad de Bulnes* (Municipality of Bulnes)
- *Municipalidad de San Ignacio* (Municipality of San Ignacio)
- *Municipalidad de Quillón* (Municipality of Quillón)
- *Municipalidad de Yungay* (Municipality of Yungay)
- *Municipalidad de Pemuco* (Municipality of Pemuco)
- *Municipalidad de El Carmen* (Municipality of El Carmen)
- *Municipalidad de Concepción* (Municipality of Concepción)
- *Municipalidad de Penco* (Municipality of Penco)
- *Municipalidad de Hualqui* (Municipality of Hualqui)
- *Municipalidad de Florida* (Municipality of Florida)
- *Municipalidad de Tomé* (Municipality of Tomé)
- *Municipalidad de Talcahuano* (Municipality of Talcahuano)
- *Municipalidad de Coronel* (Municipality of Coronel)
- *Municipalidad de Lota* (Municipality of Lota)
- *Municipalidad de Santa Juana* (Municipality of Santa Juana)
- *Municipalidad de Lebu* (Municipality of Lebu)
- *Municipalidad de Los Alamos* (Municipality of Los Alamos)

- *Municipalidad de Arauco* (Municipality of Arauco)
- *Municipalidad de Curanilahue* (Municipality of Curanilahue)
- *Municipalidad de Cañete* (Municipality of Cañete)
- *Municipalidad de Contulmo* (Municipality of Contulmo)
- *Municipalidad de Tirúa* (Municipality of Tirúa)
- *Municipalidad de Los Angeles* (Municipality of Los Angeles)
- *Municipalidad de Santa Bárbara* (Municipality of Santa Bárbara)
- *Municipalidad de Laja* (Municipality of Laja)
- *Municipalidad de Quilleco* (Municipality of Quilleco)
- *Municipalidad de Nacimiento* (Municipality of Nacimiento)
- *Municipalidad de Negrete* (Municipality of Negrete)
- *Municipalidad de Mulchén* (Municipality of Mulchén)
- *Municipalidad de Quilaco* (Municipality of Quilaco)
- *Municipalidad de Yumbel* (Municipality of Yumbel)
- *Municipalidad de Cabrero* (Municipality of Cabrero)
- *Municipalidad de San Rosendo* (Municipality of San Rosendo)
- *Municipalidad de Alto Bío Bío* (Municipality of Alto Bío Bío)
- *Municipalidad de Tucapel* (Municipality of Tucapel)
- *Municipalidad de Antuco* (Municipality of Antuco)
- *Municipalidad de Chillán Viejo* (Municipality of Chillán Viejo)
- *Municipalidad de Hualpén* (Municipality of Hualpén)
- *Municipalidad de San Pedro De La Paz* (Municipality of San Pedro De La Paz)
- *Municipalidad de San Carlos* (Municipality of San Carlos)
- *Municipalidad de Chiguayante* (Municipality of Chiguayante)
- *Municipalidad de Angol* (Municipality of Angol)
- *Municipalidad de Purén* (Municipality of Purén)
- *Municipalidad de Los Sauces* (Municipality of Los Sauces)

- *Municipalidad de Renaico* (Municipality of Renaico)
- *Municipalidad de Collipulli* (Municipality of Collipulli)
- *Municipalidad de Ercilla* (Municipality of Ercilla)
- *Municipalidad de Traiguén* (Municipality of Traiguén)
- *Municipalidad de Lumaco* (Municipality of Lumaco)
- *Municipalidad de Victoria* (Municipality of Victoria)
- *Municipalidad de Curacautín* (Municipality of Curacautín)
- *Municipalidad de Lonquimay* (Municipality of Lonquimay)
- *Municipalidad de Temuco* (Municipality of Temuco)
- *Municipalidad de Cholchol* (Municipality of Cholchol)
- *Municipalidad de Vilcún* (Municipality of Vilcún)
- *Municipalidad de Freire* (Municipality of Freire)
- *Municipalidad de Cunco* (Municipality of Cunco)
- *Municipalidad de Lautaro* (Municipality of Lautaro)
- *Municipalidad de Perquenco* (Municipality of Perquenco)
- *Municipalidad de Galvarino* (Municipality of Galvarino)
- *Municipalidad de Nueva Imperial* (Municipality of Nueva Imperial)
- *Municipalidad de Carahue* (Municipality of Carahue)
- *Municipalidad de Saavedra* (Municipality of Saavedra)
- *Municipalidad de Pitrufquén* (Municipality of Pitrufquén)
- *Municipalidad de Gorbea* (Municipality of Gorbea)
- *Municipalidad de Toltén* (Municipality of Toltén)
- *Municipalidad de Loncoche* (Municipality of Loncoche)
- *Municipalidad de Villarrica* (Municipality of Villarrica)
- *Municipalidad de Pucón* (Municipality of Pucón)
- *Municipalidad de Melipeuco* (Municipality of Melipeuco)

- *Municipalidad de Curarrehue* (Municipality of Curarrehue)
- *Municipalidad de Teodoro Schmidt* (Municipality of Teodoro Schmidt)
- *Municipalidad de Padre De Las Casas* (Municipality of Padre De Las Casas)
- *Municipalidad de Valdivia* (Municipality of Valdivia)
- *Municipalidad de Corral* (Municipality of Corral)
- *Municipalidad de Mariquina* (Municipality of Mariquina)
- *Municipalidad de Mafil* (Municipality of Mafil)
- *Municipalidad de Lanco* (Municipality of Lanco)
- *Municipalidad de Los Lagos* (Municipality of Los Lagos)
- *Municipalidad de Futrono* (Municipality of Futrono)
- *Municipalidad de Panguipulli* (Municipality of Panguipulli)
- *Municipalidad de La Unión* (Municipality of La Unión)
- *Municipalidad de Paillaco* (Municipality of Paillaco)
- *Municipalidad de Río Bueno* (Municipality of Río Bueno)
- *Municipalidad de Lago Ranco* (Municipality of Lago Ranco)
- *Municipalidad de Osorno* (Municipality of Osorno)
- *Municipalidad de Puyehue* (Municipality of Puyehue)
- *Municipalidad de San Pablo* (Municipality of San Pablo)
- *Municipalidad de Puerto Octay* (Municipality of Puerto Octay)
- *Municipalidad de Río Negro* (Municipality of Río Negro)
- *Municipalidad de Purranque* (Municipality of Purranque)
- *Municipalidad de Puerto Montt* (Municipality of Puerto Montt)
- *Municipalidad de Calbuco* (Municipality of Calbuco)
- *Municipalidad de Puerto Varas* (Municipality of Puerto Varas)
- *Municipalidad de Llanquihue* (Municipality of Llanquihue)
- *Municipalidad de Fresia* (Municipality of Fresia)
- *Municipalidad de Frutillar* (Municipality of Frutillar)

- *Municipalidad de Maullín* (Municipality of Maullín)
- *Municipalidad de Los Muermos* (Municipality of Los Muermos)
- *Municipalidad de Ancud* (Municipality of Ancud)
- *Municipalidad de Quemchi* (Municipality of Quemchi)
- *Municipalidad de Dalcahue* (Municipality of Dalcahue)
- *Municipalidad de Castro* (Municipality of Castro)
- *Municipalidad de Chonchi* (Municipality of Chonchi)
- *Municipalidad de Queilén* (Municipality of Queilén)
- *Municipalidad de Quellón* (Municipality of Quellón)
- *Municipalidad de Puqueldón* (Municipality of Puqueldón)
- *Municipalidad de Quinchao* (Municipality of Quinchao)
- *Municipalidad de Curaco De Velez* (Municipality of Curaco De Velez)
- *Municipalidad de Chaitén* (Municipality of Chaitén)
- *Municipalidad de Palena* (Municipality of Palena)
- *Municipalidad de Futaleufú* (Municipality of Futaleufú)
- *Municipalidad de San Juan De La Costa* (Municipality of San Juan De La Costa)
- *Municipalidad de Cochamo* (Municipality of Cochamo)
- *Municipalidad de Hualaihue* (Municipality of Hualaihue)
- *Municipalidad de Aysén* (Municipality of Aysén)
- *Municipalidad de Cisnes* (Municipality of Cisnes)
- *Municipalidad de Coyhaique* (Municipality of Coyhaique)
- *Municipalidad de Chile Chico* (Municipality of Chile Chico)
- *Municipalidad de Cochrane* (Municipality of Cochrane)
- *Municipalidad de Lago Verde* (Municipality of Lago Verde)
- *Municipalidad de Guaitecas* (Municipality of Guaitecas)
- *Municipalidad de Río Ibañez* (Municipality of Río Ibañez)

- *Municipalidad de O'Higgins* (Municipality of O'Higgins)
- *Municipalidad de Tortel* (Municipality of Tortel)
- *Municipalidad de Punta Arenas* (Municipality of Punta Arenas)
- *Municipalidad de Puerto Natales* (Municipality of Puerto Natales)
- *Municipalidad de Porvenir* (Municipality of Porvenir)
- *Municipalidad de Torres Del Paine* (Municipality of Torres Del Paine)
- *Municipalidad de Río Verde* (Municipality of Río Verde)
- *Municipalidad de Laguna Blanca* (Municipality of Laguna Blanca)
- *Municipalidad de San Gregorio* (Municipality of San Gregorio)
- *Municipalidad de Primavera* (Municipality of Primavera)
- *Municipalidad de Timaukel* (Municipality of Timaukel)
- *Municipalidad de Cabo de Hornos* (Municipality of Cabo de Hornos)

Subsection C

Chapter 12 shall apply to the following entities:

- *Empresa Portuaria Arica* (Arica Port Company)
- *Empresa Portuaria Iquique* (Iquique Port Company)
- *Empresa Portuaria Antofagasta* (Antofagasta Port Company)
- *Empresa Portuaria Coquimbo* (Coquimbo Port Company)
- *Empresa Portuaria Valparaíso* (Valparaíso Port Company)
- *Empresa Portuaria San Antonio* (San Antonio Port Company)
- *Empresa Portuaria San Vicente-Talcahuano* (San Vicente-Talcahuano Port Company)
- *Empresa Portuaria Puerto Montt* (Puerto Montt Port Company)
- *Empresa Portuaria Chacabuco* (Chacabuco Port Company)
- *Empresa Portuaria Austral* (Austral Port Company)

Part 2

Goods

Section 1

Goods Covered by Japan

Chapter 12 shall apply to goods covered by Japan's Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement.

Section 2

Goods Covered by Chile

Chapter 12 shall apply to all goods.

Part 3

Services

Section 1

Services Covered by Japan

Chapter 12 shall apply to services covered by Annex 4 of Japan's Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement.

Section 2

Services Covered by Chile

Chapter 12 shall apply to all services, except for financial services, as defined in subparagraph (e) of Article 128.

Part 4

Construction Services

Section 1

Construction Services Covered by Japan

Chapter 12 shall apply to construction services covered by Annex 5 of Japan's Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement.

Section 2

Construction Services Covered by Chile

Chapter 12 shall apply to all construction services.

Note to Section 2:

Chapter 12 shall not apply to any construction services intended for Easter Island (*Isla de Pascua*).

Part 5

Thresholds

Section 1

Thresholds Applicable to Japan

The thresholds for procurement by covered entities under Section 1 of Part 1 are as set out in Japan's Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement, except that the thresholds for procurement of goods and services (other than construction services and architectural, engineering and other technical services) by such entities other than those covered by Annex 2 of Japan's Appendix I to the Agreement on Government Procurement in Annex 4 to the WTO Agreement are SDR 100,000.

Note to Section 1:

Japan shall calculate and convert the value of thresholds into Yen based on an average value of Yen in terms of SDRs in the most recent two-year period starting on January 1 of the year before the preceding year and ending on December 31 of the preceding year. The value of thresholds as calculated and converted into Yen is valid for two-year period starting on April 1 of the current year and ending on March 31 of the year after the following year. However, the value of thresholds as calculated and converted into Yen based on an average value of Yen in

terms of SDRs during the period from January 1, 2004 to December 31, 2005 shall be valid as from the date of entry into force of this Agreement until March 31, 2008.

Section 2

Thresholds Applicable to Chile

1. For entities specified in Subsection A of Section 2 of Part 1:

Goods specified in Part 2:
Thresholds SDR 100,000

Services specified in Part 3:
Thresholds SDR 100,000

Construction services specified in Part 4:
Thresholds SDR 5,000,000

2. For entities specified in Subsection B of Section 2 of Part 1:

Goods specified in Part 2:
Thresholds SDR 200,000

Services specified in Part 3:
Thresholds SDR 200,000

Construction services specified in Part 4:
Thresholds SDR 10,000,000

3. For entities specified in Subsection C of Section 2 of Part 1:

Goods specified in Part 2:
Thresholds SDR 300,000

Services specified in Part 3:
Thresholds SDR 300,000

Construction services specified in Part 4:
Thresholds SDR 10,000,000

Note to Section 2:

Chile shall calculate and convert the value of thresholds into Chilean pesos based on an average value of Chilean pesos in terms of SDRs in the most recent two-year period starting on January 1 of the year before the preceding year and ending on December 31 of the preceding year. The value of thresholds as calculated and converted into Chilean pesos is valid for a two-

year period starting on April 1 of the current year and ending on March 31 of the year after the following year. However, the value of thresholds as calculated and converted into Chilean pesos based on an average value of Chilean pesos in terms of SDRs during the period from January 1, 2004 to December 31, 2005 shall be valid as from the date of entry into force of this Agreement until March 31, 2008.

Part 6

General Note of Chile

Chapter 12 shall not apply to:

- (a) any form of assistance provided by Chile or a state enterprise thereof, including grants, loans, equity infusions, fiscal incentives, subsidies, guarantees, cooperative agreements, government provision of goods and services to persons or to regional or local governments, and purchases for the direct purpose of providing foreign assistance;
- (b) purchases funded by international grants, loans or other assistance, where the provision of such assistance is subject to conditions inconsistent with the provisions of Chapter 12; and
- (c) procurements by the missions of the foreign service of Chile exclusively for their operation and management.

Part 7

Publications

Section 1

Publications of Japan

Kanpo
Kenpo, Shiho or their equivalents

Section 2

Publications of Chile

Diario Oficial
www.chilecompra.cl
www.mop.cl (for construction services)