

CHILE

Extracts of the implementing legislation, Law No. 19,829 amending the Chilean Criminal Code entered into force on October 8, 2002

Article 250 bis A

“He who offers a foreign public official an economic advantage, for that official or a third person, to act or refrain from acting in order to obtain or retain - for him or a third party - any business or advantage in the field of international commercial transactions shall be punished with imprisonment, fine and disqualification, as referred to in Article 248 bis, first paragraph. The same punishment shall be imposed on he who offers the said advantage to a foreign public official for his having acted or refrained from acting.

He who, under the circumstances described in the foregoing paragraph, has consented in giving said advantage shall be punished with short-term imprisonment, minimum degree, as well as the fine and disqualification referred to above.”

Article 250 bis B

“For the purpose of the provision of the preceding article, is considered a foreign public official any person holding a legislative, administrative or judicial office of a foreign country, whether appointed or elected, and any person exercising a public function for a foreign country, including for a public agency or public enterprise. It shall also mean any official or agent of a public international organisation.”