

The Department of State acknowledges receipt of diplomatic note No. 49, dated February 10, 2012, from the Embassy of the Republic of Chile, which reads as follows:

“The Embassy of the Republic of Chile refers the Department of State to the Convention Between the Government of the Republic of Chile and the Government of the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and Capital, and to the Protocol to the Convention, both signed in Washington on February 4, 2010, as corrected by an exchange of notes effected February 25, 2011. Further errors were discovered in the English and Spanish language versions of the Protocol which the Government of the Republic of Chile proposes to rectify as follows:

English version of the Protocol

Paragraph 20 of the Protocol, which currently reads:

20. With reference to Article 27 (Exchange of Information)
“Notwithstanding paragraph 3 of Article 29 (Entry Into Force), information covered by paragraph 5 of Article 27, to the extent that such information is covered by Article 1 of DFL No. 707 and Article 154 of DFL No. 3 of Chile, shall be available with respect to bank information corresponding to taxable periods or events commencing as of January 1, 2010 and thereafter. Other bank information like signature cards and other account opening documents may be exchanged without regard to the time they were created.”

Shall now read as follows:

20. With reference to Article 27 (Exchange of Information)
 “Notwithstanding paragraph 3 of Article 29 (Entry Into Force), information covered by paragraph 5 of Article 27, to the extent that such information is covered by Article 1 of DFL No. 707 and Article 154 of DFL No. 3 of Chile, shall be available only with respect to bank account transactions that take place on or after January 1, 2010. Other bank information like signature cards and other account opening documents may be exchanged without regard to the time they were created.”

Spanish version of the Protocol

Paragraph 20 of the Protocol, which currently reads:

20. Con referencia al Artículo 27 (Intercambio de Información)
 “No obstante lo dispuesto en el párrafo 3 del Artículo 29 (Entrada en vigor), la información comprendida en el párrafo 5 del Artículo 27, en la medida que tal información se encuentre comprendida en Chile en el Artículo 1 del DFL 707 y en el Artículo 154 del DFL No. 3, se encontrará disponible sólo respecto de transacciones de cuentas bancarias que se lleven a cabo a partir del 1 de Enero de 2010. Otra información bancaria, tal como tarjetas firmadas y otros documentos de apertura de cuentas, podrá ser intercambiada, sin perjuicio de la fecha en que éstas fueron creadas.”

Shall now read as follows:

20. Con referencia al Artículo 27 (Intercambio de Información)
 “No obstante lo dispuesto en el párrafo 3 del Artículo 29 (Entrada en vigor), la información comprendida en el párrafo 5 del Artículo 27, en la medida que tal información se encuentre comprendida en Chile en el Artículo 1 del DFL 707 y en el Artículo 154 del DFL No. 3, se encontrará disponible sólo respecto de operaciones en cuentas bancarias que se lleven a cabo a partir del 1 de enero de 2010. Otra información bancaria, tal como tarjetas firmadas y otros documentos de apertura de cuentas, podrá ser intercambiada, sin perjuicio de la fecha en que éstas fueron creadas.”

The Embassy of the Republic of Chile proposes, on behalf of the Government of the Republic of Chile, that:

- I. The English and Spanish language versions of the Protocol be further corrected as set out above; and
- II. The further corrected Protocol texts replace the defective texts as from the date on which the Protocol was signed;

If the Government of the United States of America concurs with the proposals contained in paragraphs I. and II. above, the Embassy of the Republic of Chile proposes that this note and the note in reply thereto of the Department of State expressing the concurrence of the Government of the United States of America shall constitute a further correction of the English and Spanish language versions of the Protocol and shall become part of the original versions thereof.

The Embassy of the Republic of Chile takes this opportunity to renew to the Department of State the assurance of its highest consideration.

Washington, D.C., February 10, 2012”

The Department of State confirms that the Government of the United States of America concurs with the corrections proposed by the Government of the Republic of Chile. Accordingly, the note of the Embassy of the Republic of Chile of February 10, 2012, and this note in reply shall constitute a further correction of the English and Spanish language versions of the Protocol and shall become part of the original versions thereof.

Department of State,

Washington, February 21, 2012.



This document is a true and correct copy of the original.

Sandy K



MINISTRY OF FOREIGN AFFAIRS
EMBASSY IN THE UNITED STATES

N° 049

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WASHINGTON D.C., February 10, 2012

