

SHOOT IN CHILE

A PRACTICAL GUIDE FOR A CHILE FILM FRIENDLY



Consejo Nacional de la Cultura y las Artes

Gobierno de Chile



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A PRACTICAL GUIDE FOR A CHILE FILM FRIENDLY

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PRESENTATION

The Chile Film Commission of the National Culture and Arts Council is an entity that supports and promotes domestic and international audiovisual productions in the country, highlighting Chile's landscapes and its people, the services and technology available, and the professionals in the field.

Chile posesses the necessary components to transform itself into the Latin American hub for productions from all over the world. Although Chile still has certain challenges to overcome -- for example, creating specific tax incentives and stimulating foreign investment in the sector -- our strengths and diversity as a society and a country allow us to position ourselves as an ideal film location and a strategic partner for film productions on an international level.

Our goal is to make all Chileans understand the immense advantages of becoming a major location for world cinema. With this practical guide, created as a tool to help everyone speak the same language and act as an important source of support for domestic and international projects produced in the country, we seek to facilitate that understanding in order to allow Chile to reach its full potential in film production.

We invite everyone to join us in making Chile film friendly.

Claudia Barattini Contreras

Minister President National Council for Culture and Arts

INTRODUCTION

Filming is a labor of production that requires prior planning and logistical preparation. With the objective of facilitating that preparation in national as well as foreign productions, Film Commission Chile (Comisión Fílmica de Chile) has prepared this practical guide for audiovisual filming to present the steps necessary for successful filming in Chile.

Film Commission Chile, which is under the Council on the Arts and the Audiovisual Industry of the National Council on Culture and the Arts, is a specialized office that seeks to increase the economic impact of the audiovisual industry in Chile and Latin America, offering leadership and national coordination among state organisms, service providers, businesses, and other sectors of the Chilean audiovisual industry.

Within the framework of this objective, the Film Commission extended a tender for the production of this guide in 2013 to the National Inter-Company Union of Film and Audiovisual Professionals and Technicians (SINTECI, Sindicato Nacional Interempresa de Profesionales y Técnicos del Cine y Audiovisual). The manual is intended to systematically and descriptively present the operational requirements of those who offer services related to audiovisual productions to municipalities, state entities, trade and private organizations, as well as to those who have need of those services, whether they are national or foreign producers, and the delivery of information and contacts to cover the different needs for filming in public and private places to optimize the expected filming time. Likewise, the guide is an instrument for developing

and instilling good practices for working and collaborating with the audiovisual industry, the municipal administrations, and society in general.

The contents and focus of this guide follow the Chilean Film Commission's line of work in terms of its organization and therefore seeks to respond in practical ways to the needs for information required for any film project.

INFORMATION ABOUT CHILE

Chile is a country that guarantees safety and tranquility for filming in public places. It has four well-defined seasons, offers enormous climatic diversity, and presents in different a variety of locations with nearly every climate type existing on Earth.

The time zone is similar to that of other countries in the Americas, with little difference from the majority of European countries. Continental Chile is in time zone GMT-4, and Easter Island is GMT-6. During the summer continental Chile is in time zone GMT-3 and Easter Island is GMT-5

The country is divided into 15 regions and 54 provinces, each of which is subdivided into comunas or municipios administered by an autonomous public body called a municipality, with legal personhood, its own patrimony. Each of the country's 346 comunas has its own authorities and regulations to authorize filming.

Chile is the first South American country that has signed the Temporary Admission (ATA) Agreement, a customs document that allows the free temporary admission of merchandise exempt from import and other taxes such as VAT (IVA). The economic exchange rate is stable, and banks are open Monday–Friday from 9:00 a.m. to 2:00 p.m. Many of the ATMs (automatic teller machines) in the national network, Redbank, are connected to the Cirrus or Plus networks.

Chile has a high connectivity index with access to Internet and mobile telephone coverage in nearly every part of the country. It is also possible to use satellite telephones, and landlines in all major cities reach most of national territory. Chile also has a network

of highways (approximately 80,000 kilometers / 50,000 miles) extending the length and width of the country. The Pan American Highway runs from Arica in the north to Puerto Montt in the south, and farther south the Austral Highway connects to Patagonia.

Chile's electricity uses 220 volts and 50 hertz. Adapters for three-pronged electrical outlets are seldom used, but two-pronged adapters are easily found in specialized stores. DVDs use zone-4, although both multi-zone and blu-ray players are readily available. The analogue television standard is NTSC, and Japanese ISDB-T with mpg4 is being implemented for digital TV.

Holidays

Day	Month	Description
1	January	New Year's Day
Variable	March / April	Good Friday and Holy Saturday
1	May	Labor Day
21	May	Navy Day
29	June	St. Peter & St. Paul
16	July	Our Lady of Mount Carmel
15	August	Assumption of Mary
18-19	September	Independence Day / Army Day
12 (or closest Monday)	October	Columbus Day (Meeting of Two Worlds)
31	October	Reformation Day
1	November	All Saint's Day
8	December	Immaculate Conception
25	December	Christmas

A map of municipalities by region is available at the Chilean Association of Municipalities website www.munitel.cl.



GUIDELINES FOR FOREIGN PRODUCTIONS The filming of productions in Chile that have been conceived of abroad entails certain legal requirements such as work permits for foreigners, entry permits for equipment and/or materials, and authorizations for the use of public and private filming locations, among others, depending on the specific needs of the production.

These requirements can be met by hiring a local production company, many of which have extensive experience in advising their foreign producers and assisting them with the many issues associated with working in Chilean territory.

Visas and requirements for working in Chile

The Law on Aliens (*Ley de Extranjería*, *Decreto Ley Nº 1.094*, 1975) sets out requirements for the following residency and work permits, among others:

Authorization to work as a tourist

As a general rule, tourists are not permitted to work in Chile. However, the Ministry of the Interior's Department of Aliens and Immigration (*Departamento de Extranjería y Migración*) can authorize such work through its offices in Santiago and outlying provinces for tourists who meet certain requirements. These tourist work visas are valid for a period of up to 30 days but can be extended while the Tourist Card (*Permiso de Turismo*) remains valid.

To obtain a tourist work permit, the applicant must apply in person in Chile at the offices of the aforementioned department, attaching a copy of the respective employment contract. The prospective employer may also apply on the applicant's behalf by providing a notarized power of attorney form authorizing the application.

This work permit and each extension thereof shall bear a cost equal to 150% of the value of a "Visa subject to contract," which will vary according to the applicant's nationality.

For further information, please visit www.extranjeria.gob.cl and consult the following documents (in Spanish): Decreto-ley n° 1.094, que establece normas sobre extranjeros en Chile (Decree Law 1094 Establishing regulations for foreigners in Chile) and Authorization to work for tourists.

Applicants will also be asked to provide the following to be eligible to work in Chile. See (<u>Requisites to apply for work authorization for foreigners with a tourist visa</u>):

- A valid passport or other government-issued identification, such as a national identity card, DNI, etc. Present the original passport and a legible photocopy. The photocopy must include the identification page, passport number, date of issue, expiration date, and the page stamped with the holder's latest entry into Chile.
- Valid tourism card (tarjeta de turismo). Present the original and a legible photocopy. This document will be retained by the Department of Aliens and Immigration for the duration of the work permit.
- Employment contract. If the hiring company is Chilean, the contract must be signed by both parties before a notary public. If the contract has been signed abroad, a simple photocopy of the contract that initiated the contractual relationship must be attached, along with a letter from the company established in Chile, signed before a notary, clarifying the relationship between the two companies and the foreign tourist. In both cases the contract must include the following clauses:

- Travel clause. The Chilean company agrees to pay for the applicant's return tickets.
- Effective Clause. This clause must stipulate that the tourist will only be able to perform the services outlined in the contract once he or she has obtained the special work permit for foreigners.
- Payment of the work permit fee, which corresponds to 150% of the amount paid for a "Visa subject to contract," the amount of which varies by nationality. This amount can be paid by taking the payment order (*orden de giro*) issued by the Department of Aliens and Immigration (*Extranjería*) to any commercial bank in Chile.

In cases in which the applicant needs to extend a work period and remain in Chile, an extension of the permit may be requested before its date of expiry. To do so, the applicant must present the same documents and pay the same amount required for the first application, and must also provide a notarized letter certifying that the contract is still in effect.

The applicant must present the application in person at *Extranjería* in Santiago, San Antonio 580, third floor, Monday to Friday between 9:00 a.m. to 4 p.m. The applicant does not need to have a third party present. Any process undertaken at *Extranjería* by a third party on behalf of a foreign national requires a notarized power of attorney from the latter.

The visa fee schedule by country and type of visa is presented below (a complete list can be consulted at www.extranjería.gob.cl):

Country / Place	Temporary Visa US\$	Visa / Contract US\$	Student Visa US\$
Argentina	100	270	270
Australia	380	550	560
Bolivia	283	283	0
Brazil	100	100	40
Canada	152	152	127
Colombia	180	210	35
Ecuador	200	200	100
France	128	128	128
Germany	78	78	78
Italy	135	135	135
Mexico	184	245	0
Peru	80	80	80
Portugal	98	116	116
Spain	65	65	65
United Kingdom	1387	672	405
United States	0	0	0
Uruguay	65	65	65
Venezuela	60	60	60

Accreditation of foreign correspondents in transit

Press correspondents who come to Chile for less than three months to undertake news reports, documentaries, interviews and/or articles, or to accompany a foreign official, including a head of state, must obtain the Accreditation for Foreign Correspondents in Transit.

The requirements for obtaining this permit are as follows:

Send a letter requesting the accreditation by email to inter@segegob.cl. The letter should be addressed to:

Head of International Press and Communications Department Secretariat of Communications Ministry General Secretariat of Government

- The letter must include the full name and passport number (or other identity document) of each member of the press team, a brief summary of the work to be undertaken in Chile and the dates of the planned stay in the country. The letter must come on the letterhead of the media outlet, be signed by the director or editor responsible, and include his or her contact information. Upon reception of said letter, the "Group in Transit" form will be sent to the applicant(s) and must be completed and returned.
- A digital passport photo of each applicant must be submitted in .jpg format along with the form referred to above.

The International Press Office of the Ministry General Secretariat of Government's will verify the information provided and send an email confirming or denying the credential within three business days. The correspondent may then enter the country as a tourist and must retrieve the credential itself at the offices of the aforementioned Department, located at Valentín Letelier 1350, first floor, Santiago (Moneda station, Santiago Metro), or at another specified location.

The credential shall be valid for the period indicated on its face.

Visa for artists working in Chile for 90 days or less

Artists who come to Chile to work for 90 days or less must obtain the corresponding permit from the Department of Aliens and Immigration (*Extranjería*). The agent or producer

representing the artist must obtain the permit in person at *Extranjería*, in the Ministry of the Interior.

The <u>Requisites for a Working Permit for Tourist / Artists</u> are as follows:

- Have a Chilean agent or artistic producer.
- Request a tourist visa at the respective Chilean consulate or a tourist card at your point of entry into Chile (for nationalities not requiring a visa).
- Have your agent or artistic producer accredit your status as an artist. This individual must be registered on the Registry of Artistic Entrepreneurs <u>Registro de Empresarios Artísticos</u>.
- The documents required include the artist's passport or identity document, both the original and a legible copy; a photocopy of the artist's tourist card; a letter requesting the artistic visa that includes the name and employer's ID (RUT), a description of the activity to be conducted, dates, times and places of the presentations, as applicable, and the remuneration the artist will receive for said presentations; the corresponding labor contract, signed by both parties before a notary public; a photocopy of the signed and notarized release agreement (finiquito de contrato), and a photocopy of a resolution certifying that the artistic producer or agent is registered in the Registry of Artistic Entrepreneurs. The letter of request and all other documents indicated must be brought to the Clerk's Office (Oficina de Partes) of the Department of Aliens and Immigration (Extranjería), located at San Antonio 580, third floor, in Santiago.
- Pay the work permit fee for each foreign national. This is equal to 150% of the fee payable for the "Visa subject to contract"
 (Visa sujeta a contrato) for persons of the same nationality and

may be paid at any commercial bank by showing the payment order (*orden de giro*) issued by *Extranjería*.

Procedures for hiring foreign nationals in Chile

A company or institution that wishes to hire a foreign national to work in Chile must be a legal entity with an accredited tax ID (RUT) and have a legal address in Chile.

- Any Chilean company hiring any type of foreign professional or artist must be registered with the Department of Aliens and Immigration in order to obtain the corresponding tourist work visa.
- The employment contract must be signed in Chile by both the employer and the employee or his/her representative before a notary public.
- The activities performed by the worker in Chile may not be considered dangerous or in any way a threat to National Security.
- The hiring of the worker must comply with all applicable labor and social security laws in addition to any other requirements set out by the Ministry of the Interior's Department of Aliens and Immigration for obtaining a 'Visa subject to contract'.

A foreign company without legal address in Chile may not extend employment contracts in Chile to Chilean workers. Such services can be contracted through local production companies.

Any request to be included on the <u>Registry of Artistic</u>
<u>Entrepreneurs</u> should include the company name, its legal representative, address, and phone number. This request

must be sent to the Head of the *Departamento de Extranjería y Migración* and be accompanied by the following documents:

- Certificate of "Initiation of Activities" in the "events" sector.
- Photocopy of the company's tax ID (RUT).
- Articles of incorporation of the company.
- Photocopies of the National ID card (cédula de identidad) and the original and updated police background check (certificado de antecedents) of its legal representative.
- Extract of the property registry or lease contract for the company's office or locale.
- Latest company bank statement.
- Company tax records.
- Credit check (from *Boletín comercial* or Dicom) of the company and its legal representative.
- Certificate from the Superintendent of Banks and Financial Institutions (Superintendencia de Bancos e Instituciones Financieras) regarding any outstanding loans.
- Statement of company assets (vehicles, real estate).
- Documents accrediting economic solvency.
 - In the case of a private individual requesting inclusion in the Registry for the first time, the requirements are as follows:
- Present a letter requesting inclusion in the Registry (Registro de Empresarios Artísticos), including the applicant's address and phone number.

- Accredit the start-up of business in the events sector.
- Provide photocopies of the Tax ID (RUT) and original and updated police background check.
- Provide a property registry extract or lease contract for the company locale or office.
- Bank certification accrediting the checking account status.
- Other assets (vehicles, real estate).
 - In the event that the interested party is already registered in the corresponding Registry, he or she must provide the following:
- A written request to renew his/her registration on the Registry (*Registro de Empresarios Artísticos*), including address and phone number, identification of the company and the events organized in the previous period.
- Latest bank statement.
- Tax records.
- Original and updated photocopies of the national ID card and police background check.
- Credit check (from *Boletín comercial* or Dicom) for the company and its legal representative.
- Certificate from the Superintendent of Banks and Financial Institutions (Superintendencia de Bancos e Instituciones Financieras) regarding any outstanding loans.
- Bank certificate regarding checking account status.

Social security payments for foreigners in Chile

As a general rule in Chile, all contracted employees, whether Chilean or foreign, must make the pension and social security contributions required by law. Nevertheless, Law 18.156 exempts skilled foreign workers and their employers from payment of such contributions under the following circumstances:

- The employee must have an employment contract with the local employer.
- The employee must have a technical or professional degree.
- The employee must be subscribed to an insurance or social security program outside of Chile that provides compensation in cases of illness, disability, retirement, and death.
- The employee's employment contract must stipulate that the employee has voluntarily chosen to maintain the aforementioned insurance.

This exemption from insurance payments does not exempt the employer from mandatory contributions for the risks established in Law 16.744 regarding occupational accidents and illnesses, or those required for unemployment insurance.

Furthermore, except for its International Social Security Convention with Peru, Chile has no international agreements that allow an affiliate to withdraw retirement funds early or transfer them to another nation that is signatory to the agreement, as such funds may only be withdrawn in the form of a pension when the affiliate has met all legal requirements of the country in question, which vary from nation to nation.

Nevertheless, the aforementioned Law 18.156 allows foreign workers who have chosen to opt out of their home country's

social security or pension program and therefore have subscribed to the Chilean program, to withdraw the pension funds they have accumulated while working in Chile when they leave the country. Foreign nationals may make use of this legal exception provided that they strictly comply with all applicable requirements.

Additionally, Article 5 of the aforementioned law provides that companies may pay these workers in foreign currency, although—as established in Article 6—this procedure must be approved by the Executive Board of the Banco Central de Chile. This Board authorizes remuneration in foreign currency for employment contracts in accordance with the provisions of that law, and sets out the social security payments that must be made abroad in accordance with same.

When a foreign worker does not make social security contributions in Chile, he or she will not have access to the benefits provided under Chilean law, except for those applicable to occupational accidents and professional illnesses, as all employers are required to contribute to these programs.

Enforcement of the labor, social security and occupational health and safety provisions of the Chilean Labor Code, including those applicable to foreign workers and their complementary laws, is the exclusive responsibility of the Chilean Labor Directorate, which serves all workers in the country, without distinction, whether Chilean or foreign.

The International Police are responsible for enforcing the country's immigration laws. Where applicable, sanctions to be levied shall be determined by the Department of Aliens and Immigration and by regional governors.

Customs

Customs procedures, temporary importation of equipment and material

Temporary entry is the provision under which Chilean customs allows entry of clearly marked foreign merchandise into the country for a specific period of time without said merchandise being considered an import. By remaining foreign goods, these articles are exempt from import duties that would otherwise apply.

The length of the temporary entry permit depends on the nature of the merchandise, but it shall not exceed one year. With a duly reasoned request by the consignee, this period may be extended for an equal period by the regional director or customs administrator who granted the temporary entry or by the Director of the Chilean Customs Service (Servicio Nacional de Aduanas) in the case of subsequent extensions.

In certain cases a reasoned decision may be issued by the Director of the National Customs Service to enable equipment and other material intended for use in a cinematographic production to gain temporary entry into the county while being exempt from paying the Temporary Entry fee.

Upon expiration of the Temporary Entry permit, the articles in question must be dealt with in some way, whether by re-exportation, official importation, or re-destination (the latter only in exceptional cases).

Requests for temporary entry permits should be sent to the Director of the National Customs Service. This institution has a helpline for members of the public wishing to process their requests through the institution's online portal. Enquiries can be directed via email to mesadeayuda@aduana.cl or by phone at (+56 32) 2134 800.

Before entering Chile, the consignee should register the goods in question with his or her home country's customs service to obtain a temporary exit permit.

In Chile, requests for temporary entry permits can be made in person directly at the customs office, or through a customs broker hired for this purpose. It is also possible to request assistance from the foreign trade office. The procedure consists of gathering all of the documentation needed for the importation of products, a waybill, and an invoice detailing the articles included in the shipment, and the customs office will examine the shipment. The corresponding entry fees must then be paid and—most importantly—the goods will then be registered for "temporary entry." The Chilean entry document issued at this time must be kept and shown when the same goods are taken out of the country. When it is returned to the country of origin, the shipment will be in the same warehouse it was in upon entry to Chile.

The documents applicable to this procedure are Customs Bylaws, Book II (<u>Ordenanza de Aduanas, Libro II</u>) and Legal Regulations, Chapter 3: Entry of Merchandise (<u>Normas Legales, Capítulo 3: Ingreso de Mercancías</u>), both available on the Chilean Customs Service website.

Importing professional equipment

Chilean Customs Law (*Ley de Aduanas*), through Exempt Resolution 6.125, which includes a list of merchandise

considered to be equipment, allows "previously used items that are employed exclusively in the practice of one's profession or trade" to enter the country and lists a series of items that do not have to be declared upon entry. These items include personal laptop computers, portable video cameras and their accessories, mobile cellular phones, and portable photographic digital or film cameras and their accessories, etc.

Articles that may be brought into Chile without payment of customs duties or taxes are:

- Personal baggage
- Non-commercial items acquired in a Duty Free Shop, up to a value of US\$ 500.
 - To be considered "personal baggage," articles must meet the following criteria:
- They must not be commercial goods, meaning the quantities must not exceed those required for the traveler's ordinary personal use.
- They must be brought with the traveler or arrive within 120 days before or after his or her arrival in Chile. When such merchandise arrives separately, it must come bearing the name of the traveler on the manifest and/or corresponding shipping document.

Additionally, tourists and Chileans residing abroad may bring merchandise not considered "personal baggage" into the country for their own use, for up to 90 days, and that merchandise must later be removed from the country.

A temporary entry permit for such merchandise may be obtained by filling out the Temporary Admission for Tourists Effects (<u>Declaración de Admisión Temporal de Efectos de Turistas</u>), available from the National Customs Service.

Merchandise that must be approved, certified or authorized for importation to Chile includes all that which, according to current legislation, is subject to control by an official government entity before being officially imported into the country and processed by customs.

Merchandise

Firearms, ammunition, explosives, and chemical, flammable, and asphyxiating substances.

Written or audiovisual material on martial arts intended for teaching, without limitation, by whatever individual, establishment or entity responsible for the initiative.

Alcohol, alcoholic beverages, and vinegars.

Plant-based products and merchandise that may be hazardous to plants.

Animals and products, byproducts or remains of animal or plant origin.

Fertilizers and pesticides.

(Continued on next page)

Entity

Armed Forces Mobilization Directorate (*Dirección* General de Movilización Nacional, DGMN)

Armed Forces Mobilization Directorate (*Dirección* General de Movilización Nacional, DGMN)

(SAG: Servicio Agrícola y Ganadero)

Agriculture & Livestock Service (SAG: Servicio Agrícola y Ganadero)

Agriculture & Livestock Service (SAG: Servicio Agrícola y Ganadero)

Agriculture & Livestock Service (SAG: Servicio Agrícola y Ganadero)

Merchandise

Entity

Food products or byproducts of animal or plant origin.

Agriculture & Livestock Service (SAG: Servicio Agrícola y Ganadero)

Food products of any type.

Ministry of Health's Regional Sanitation Authority (Autoridad Sanitaria Región, Secretaría Regional Ministerial de Salud)

Pharmaceutical or food products for medical and/or cosmetic use.

Ministry of Health's Regional Sanitation Authority (Autoridad Sanitaria Región, Secretaría Regional Ministerial de Salud)

Narcotic drugs or pschotropic substances that cause dependency.

Ministry of Health's Regional Sanitation Authority (Autoridad Sanitaria Región, Secretaría Regional Ministerial de Salud)

Substances that are toxic or hazardous to health.

Ministry of Health's Regional Sanitation Authority (Autoridad Sanitaria Región, Secretaría Regional Ministerial de Salud)

Fertile, fissionable or radioactive elements, radioactive substances, equipment or instruments that generate ionizing radiation.

Chilean Nuclear Energy Commission (*Comisión Chilena de Energía Nuclear*)

Hydrobiological resources in any stage of development, including ornamental species.

Undersecretariat of Fisheries (Subsecretaría de Pesca)

Fish products.

Undersecretariat of Fisheries (Subsecretaría de Pesca)

(Continued on next page)

Merchandise	Entity
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Radio broadcasting equipment. Prior authorization must be obtained before using a transmission bandwidth.

Human remains or ashes.

Waste containing batteries and other accumulators; waste containing zinc, lead, antimony, beryllium, cadmium, and/or chrome, pharmaceutical waste and organic solvents.

Wild flora and fauna species protected under CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora).

Undersecretariat of Telecommunications (Subsecretaría de Telecomunicaciones)

San Juan de Dios Hospital (*Ministerio de Salud*)

Ministry of Health (Ministerio de Salud)

Government authority as defined in Article IX of the Convention

Those who do not have an ATA Carnet shall be governed by the temporary entry regulations set out in Ministry of Foreign Relations Decree 103 of 2004 (<u>Decreto n° 103 del año 2004 del Ministerio de Relaciones Exteriores</u>).

Use of the ATA Carnet

The <u>ATA Carnet</u> is an international customs document intended to facilitate the temporary importation of goods duty-free and tax-free (including VAT, for example) and is recognized by more than 75 countries. The ATA Carnet has been used by companies with the backing of international conventions for more than 40 years and has become a genuine "passport" for commercial samples, merchandise for use at trade fairs, exhibitions and similar events, and for articles

and equipment required by many fields, including the press, radio, film, theatre, sports and others.

The Santiago Chamber of Commerce (CCS) has been designated by the National Customs Service as the national issuing and guaranteeing organization for the ATA Carnet in Chile (see <u>carnet ATA en Chile</u>). The CCS is part of a global network of ATA entities, led by the International Chamber of Commerce.

As for its advantages, the ATA Carnet can streamline and simplify procedures with both Chilean and foreign customs services; it allows travelers to anticipate customs processes at a predetermined cost, enter merchandise temporarily into more than 70 countries with a single document, and to transit the same through ATA-subscribed countries as often as necessary for a period of one year, after which the ATA Carnet expires.

To obtain this document, travelers must complete the ATA Carnet request form (formulario de solicitud de carnet ATA) available at www.ccs.cl and present the corresponding supporting documents, provide a detailed description and value of the articles to be imported, and pay a set fee for the Carnet along with a deposit that will be returned once the ATA Carnet is duly surrendered.

ATA Carnet countries:

1.	Algeria	9. Bulgaria
2.	Andorra	10. Canada
3.	Australia	11. Chile
4.	Austria	12. China
5.	Bailiwick of Guernsey	13. Croatia
6.	Belarus	14. Cyprus
7.	Belgium	15. Czech Republic
8.	Botswana	16. Denmark

17. Estonia	48. Mongolia
18. Finland	49. Morocco
19. France	50. Namibia
20. French Polynesia	51. Netherlands
21. Germany	52. New Caledonia
22. Greece	53. New Zealand
23. Guadalupe	54. Norway
24. Guyana	55. Poland
25. Hong Kong	56. Portugal
26. Hungry	57. Puerto Rico
27. Iceland	58. Republic of Korea
28. India	59. Republic of South Africa
29. Ireland	60. Reunión
30. Isle of Man	61. Romania
31. Israel	62. Russia
32. Italy	63. Senegal
33. Ivory Coast	64. Serbia
34. Japan	65. Singapore
35. Jersey	66. Slovak Republic
36. Latvia	67. Slovenia
37. Lebanon	68. Spain
38. Lesotho	69. Sri Lanka
39. Lithuania	70. St Pierre and Miquelon
40. Luxemburg	71. Swaziland
41. Macedonia	72. Sweden
42. Malaysia	73. Switzerland
43. Malta	74. Tasmania
44. Martinique	75. Thailand
45. Mauritius	76. Tunisia
	_ ,

77. Turkey78. United States

46. Mayotte

47. Mexico

Tax Regulations

For the audiovisual sector, credits or exemptions to current tax regulations may be requested. One such exemption frees certain individuals from paying the tax applicable to certain activities that the government wishes to promote, while another type, the so-called agreements to prevent double taxation (convenios para evitar la doble tributación) limit the payment of taxes to one of the signatory countries, in accordance with certain criteria outlined in the agreements themselves.

Agriculture and Livestock Service (SAG)

Chile has a strict public policy in place to maintain the integrity of its phytosanitary barrier. The country's Agriculture and Livestock Service (SAG: Servicio Agrícola y Ganadero) is the official entity responsible for supporting the development of agriculture, forestry, and livestock in the country by safeguarding and improving animal and plant health.

In order to prevent the introduction of diseases or pests from abroad that could affect the country's plants and/or animals and seriously harm its agricultural sector, phytosanitary, and zoosanitary controls have been put in place at all points of entry into the country by land, sea, or air. At these control points, all goods, vehicles, passenger baggage, crew members, and commercial agricultural and forestry shipments are inspected to verify that they comply with SAG regulations (see *normativas del SAG*).

All persons entering the country are required to complete a SAG form declaring that they are bringing no unprocessed fruit, seeds, vegetables, or animal products into Chile, nor are they entering firearms, explosives, or any kind of illegal drugs.

SAG has 15 regional offices, 66 sector offices, 96 phytosanitary and zoosanitary border control points and 11 diagnostic laboratories equipped for analysis.

Bringing Animals to Chile

Chile has comprehensive health legislation, enforced through SAG, that prohibits the entry of certain products or byproducts of plant or animal origin in tourist baggage. Nevertheless, certain products may enter the country provided that they are accompanied by an official health certificate issued by the country of origin.

Tourists may therefore bring domestic animals such as cats, dogs, and ferrets, but all such animals must have a certificate of vaccination against distemper and rabies that has been validated by the respective Chilean consulate.



OBTAINING PERMITS AND AUTHORIZATIONS

This chapter contains information on how to request and obtain authorization or permits from the proper authorities within Chilean territory.

Customs

Temporary import permit

The rules for the temporary entry of foreign products into Chile are the same as those governing the entry of foreign merchandise into the country for a limited period of time without having to officially import it. By maintaining their status as foreign goods (not imports) these products are exempt from taxes that would otherwise apply. One requirement for such permits is that the products be clearly identifiable.

Such permits are granted by the regional director or manager of the customs office through which the merchandise enters Chilean territory. Once the temporary entry permit has expired, the merchandise's legal status must be normalized in some way, by removal from the country, official importation, or re-destination (the last only in exceptional cases).

Some merchandise, including items used in the audiovisual sector, is exempt from paying the temporary entry permit fee. This includes government-sponsored merchandise as well as costumes, set decorations, machines, apparatuses, supplies, musical instruments, vehicles and animals used in theatre productions, circuses and other public entertainments.

In certain cases, the Director of the National Customs Service (*Servicio Nacional de Aduanas*) may exempt other items from payment of this fee by issuing a reasoned decision.

Importation of makeup and special prosthetic effects

Once makeup products have entered the country, they must be authorized by the Regional Secretariat of the Ministry of Health (*Seremi*), the public entity that regulates the use of cosmetics in Chile. A detailed list of each product and its specific use must be submitted, and, when deemed necessary, the products must also be analyzed. A customs broker must be used to import purchases with a value of more than US\$ 500.

Once the authorization is granted, it must be delivered to the National Customs Service, the public entity authorized to hold the shipment and charge a warehousing fee if applicable.

Special effects prostheses that are not used directly on the skin do not require authorization from the health department to enter the country.

Weapons

Firearms and their replicas do not need to be certified or reviewed by the Chilean Army's Proof Testing Agency (*Banco de Pruebas*) at the Institute of Investigations and Control (*IDIC, Instituto de Investigaciones y Control*). Instead, the National Customs Service will hold such weapons and the importer must go to the corresponding enforcement agency—in this case the *Carabineros de Chile*—to obtain a certificate that the firearms in question are not subject to control for entry into the country.

Authorization for the temporary entry of firearms must be requested from the proper enforcement agency, which will in turn request the corresponding permit from the Army's General Directorate of National Mobilization (*Dirección General de Movilización Nacional, DGMN*). For authorization, this agency will accept the manufacturer's certificate from the firearm supplier

in the country of origin or will request an evaluation from the IDIC, which will review the weapon(s) with regard to the Chilean regulation requiring permanent modification (blocking of the barrel).

It is important to consider that the certificate of origin from the weapon supplier is required for the weapon's entry into Chile, and therefore travelers bringing weapons must factor in the time this process takes. For example, in Argentina a certificate may take 30 to 40 days to obtain and then authorization in Chile takes at least 10 business days, meaning that between the two countries the entire process could take one or two months.

The Firearms Enforcement Authority in the Metropolitan Region is as follows:¹

Prefectura de Carabineros Santiago Central Padre Felipe de Vidaurre n° 1452 (+56 2) 2922 53 90 Monday to Thursday, 8:30 a.m. to 12:00 p.m. and 2:30 p.m. to 5:00 p.m. Friday: 8:30 a.m. to 1:30 p.m.

Filming on Location

Chile has a wide variety of natural landscapes that can be useful for audiovisual projects. Many of these settings can be found in the library of the Chilean Film Commission (*Comisión Filmica de Chile*), available at: www.filmcommissionchile.org

^{1.} See the Annex: National-level auditing authority.

Natural Regions	Regions of Chile	Characteristics
Norte Grande	Arica y Parinacota Tarapacá Antofagasta Northern Atacama	Desert climate with a presence of coastal cliffs, the Coastal Mountain Range, the Andes Mountains and High Plateau, salt flats, and copper and nitrate deposits.
Norte Chico	Southern Atacama Coquimbo Northern Valparaíso	Semi-arid climate, fusion of the Coastal and Andes Mountain Ranges with transversal (eastwest) valleys with agricultural development, including viticulture and fruit production.
Aconcagua River Central Zone	Southern Valparaíso Metropolitan / Santiago O'Higgins Maule Northern Biobío	Mediterranean climate and a clear differentiation between the Coastal and Andes Mountains. Large valleys with agricultural development and the country's primary wine producing zones. Also includes ski centers and the country's major seaside resort towns.
Biobío River (3: Southern Zone Reloncaví Soun	Southern Biobío Araucanía Los Ríos Northern Los Lagos	Temperate climate with abundant rainfall. Home to South America's only temperate rainforest. The Coastal and Andes Mountains are present but at low altitudes, valleys are close to sea level, glacial lakes and intense volcanic and geothermal activity.
Austral Zone	Southern Los Lagos Aysén Magallanes	Sub-polar climate and forest; cold rainforest. Glacial landscape, archipelagos, fjords, and ice fields.

Some regions of the country have local film commissions, including Valparaíso (Corporación Valparaíso Films), the Lakes Region (Comisión Fílmica Lacustre de la Araucanía, twitter: @LacustreFilms), the O'Higgins Film Commission, Valdivia (Valdivia Film Commission) and Patagonia (Patagonia Film Commission).

Foreign productions are advised to hire a local production company to assist them with location searches, logistical support, and obtaining the respective permits, as well as for their knowledge of environmental conditions, catering, transportation, and to help coordinate and plan film shoots.

National parks and protected areas

Companies that wish to film or capture images in wilderness areas protected by the Government of Chile must obtain authorization from the regional office of the National Forest Corporation (CONAF) that corresponds to the location of interest.

CONAF is a right private corporation under the Chilean Ministry of Agriculture and is charged with administering the country's policies on forests and fostering the development of its forestry sector. Its objectives include contributing to the country and mitigating the effects of climate change through the sustainable management of forest ecosystems, safeguarding plant resources and administrating State-protected wilderness areas for present and future generations, and enforcing compliance with environmental-forestry legislation.

Through the Government of Chile's web portal <u>www.</u> <u>chileatiende.cl</u>, interested parties can submit a request to film or photograph in protected wilderness areas (see filmaciones

o fotografías en áreas silvestres protegidas) directly to the System of National State-Protected Wilderness Areas (SNASPE), which is administrated by CONAF. These permits are issued for different film projects including documentaries, feature films, and commercial advertising. Requests may be submitted online throughout the year or in person at the offices of CONAF.

The rules for filming and photography (<u>reglamento sobre filmaciones y captura de imágenes</u>) in protected wilderness areas are also available online and can be consulted at <u>www.conaf.cl</u>. All parties wishing to conduct any of the aforementioned activities must comply with these rules, without exception.

The aforementioned rules contain information about Chile's System of National State-Protected Wilderness Areas (SNASPE), which currently comprises 100 areas, including national parks, national reserves, and natural monuments, which together cover more than 14 million hectares of Chilean territory. The rules also specify the CONAF permits and authorizations that must be obtained. CONAF also reserves the right to set its own particular rules, conditions, and/or limits to any such activities to ensure that all such activities are compatible with the purpose for which the areas were created and their proper management.

The rules specify the permits and authorizations that must be obtained from CONAF, including details about the application process and costs. They also indicate cases in which filming activities do not require official authorization and/or payment of fees, including the following:

1. Press (print and broadcast) activities carried out in public-use areas within the protected area.

2. Professional activities that require no set preparation or significant logistics and that are limited to public use areas within the aforementioned locations.

Activities that require official authorization but that do not incur a fee are as follows:

- 1. Activities with educational objectives.
- **2.** Non-commercial activities required by a government entity, provided that the entity expressly requests use of the space.
- 3. Activities that explicitly highlight and promote protected areas or CONAF's work.

All other activities must be officially approved and are subject to fees, as they involve set construction, significant logistics and/or are for-profit / commercial endeavors. Those fees include the cost of entry to the protected area and are expressed in UFs (*Unidades de Fomento*, Chile's indexed currency unit) per day. Projects that require film crews to remain in a protected area for an extended period (feature films, documentaries) as well as large-scale promotional activities for commercial purposes may be subject to a special fee. These fees, plus a value-added tax (VAT/IVA), may be paid in Chilean pesos (CLP). Any additional expenses incurred by CONAF for the supervision of such projects or for any other reason shall be assumed by the party requesting the respective permit or authorization.

The document expressly outlines the rights and responsibilities of the parties in regard to conservation, modification of the environment, damages, garbage, traffic, the preservation and care of flora and fauna, noise and visual pollution, and other concerns. It furthermore states that the film producers must provide a copy of the material filmed, according to CONAF

requirements, with explicit credits thanking CONAF along with the logo and name of the protected area.

The document also specifies responsibilities and sanctions and establishes the terms and conditions applicable to damages, permitted activities, and the condition of installations, equipment and other items when returned to CONAF upon completion of filming. It also defines the applicant's responsibilities in regard to timeframes, usage, causes of disqualification, guarantees, and other matters pertinent to film projects.

CONAF contacts for film productions, by region, are as follows:

Region	Address	Telephone
Central Office	Paseo Bulnes 259 of. 704 Santiago	56-2-26630300
Arica y Parinacota	Vicuña Mackenna 820 Arica	56-58-2201211
Tarapacá	Av. Diagonal Francisco Bilbao 3692 Iquique	56-57-2432085
Antofagasta	Av. Argentina 2510 Antofagasta	56-55-2383332
Atacama	Juan Martínez 55 Copiapó	56-52-2213404
Coquimbo	Cordovez 281 La Serena	56-51-2244769
Valparaíso	3 Norte 541 Viña del Mar	56-32-2320260
O'Higgins	Cuevas 480 Rancagua	56-72-2204620
Maule	3 Sur 564Talca	56-71-2228029
Biobío	Barros Arana 215 Concepción	56-41-2624022
Araucanía	Bilbao 931 Temuco	56-45-2298100
Los Ríos	Esmeralda 415 La Unión	56-63-2245220
Los Lagos	Ochagavía 458 Puerto Montt	56-65-2486705
Aysén	Av. Ogana 1060 Coyhaique	56-67-2212125
Magallanes	Av. Bulnes 0309 Punta Arenas	56-61-2238581
Metropolitana de Santiago	San Pío Décimo 2475 Providencia	56-2-23280300

In some regions, film projects must request permission from local indigenous groups in addition to requesting authorization from CONAF. This is the case in the following regions:

Arica y Parinacota Region

Nearly 95% of this region's protected wildlife areas are found on private lands, and therefore it is vital to make contact with the respective community or request permission directly to the owners, for large-scale activities.

The communities in the protected wildlife areas in this region are:

Lauca National Park:

- ___ Juan de Dios Aranda community (Putre community)
- Parinacota y Chucuyo community
- Owners of Chungará sector (Blanco family)

Las Vicuñas National Reserve:

- Guallatire community
- __ Indigenous community of Guallatire

Surire Salt Flats Natural Monument:

- Surire community (succession)
- Antofagasta Region

The Atacamenian communities that have signed partnership agreements with CONAF Antofagasta to jointly and actively manage The Los Flamencos National Reserve, created in 1990 on ancestral lands of the Atacamenian people in the Atacama Desert are:

Tatio Geysers

- National Indigenous Development Corporation (Corporación Nacional de Desarrollo Indígena, CONADI)
- ___ the Caspana community
- ___ the Toconse community

Chaxa Lagoon the Toconao community

Atacama Salt Flats and the Valley of the Moon the Valle de Luna Indigenous community

Altiplano Lakes

___ the Socaire community

Biobío Region

In this region, the Ralco-Lepoy and Quepuca-Ralco Pehuenche communities are involved with Ralco National Reserve. Requests to film in this national reserve should be made through these communities, either directly or through CONAF's Region VIII Office.

For more information about obtaining permits and authorizations, send an email to <u>consulta.oirs@conaf.cl</u> or phone (56-2) 2663-0125.

Processing these permits and authorizations through CONAF entails the following costs, depending on the type of project:

- Filming of commercials or advertising campaigns: 50 UF per day
- Commercial photography or for-profit photography: 30 UF per day
- Feature films, short films, and for-profit films: 20 UF per day
- Documentaries for promotional, educational or tourism purposes: 5 UF per day
- Cinematographic works or documentaries that require film crews to work in the area for an extended period, or any commercial promotional film of a scale that requires the

same, shall be subject to a special rate that shall be agreed to between the parties involved.

Any additional costs incurred by CONAF for supervising these projects shall be paid by the individual or entity requesting permission. These payments shall be made in agreement with the respective park administration or with the respective regional administrative office of the protected wilderness area(s).

Use of bridges, tunnels and highways

There are no established protocols for obtaining permission to use bridges, tunnels, or highways in Chile. Nevertheless, where these structures are required for filming, requests are handled by the Ministry of Public Works, except for inter-regional highways, which are handled and coordinated by the Ministry of Transportation and the Ministry of Public Works.

Additional information may be requested from the Chilean Film Commission.

Freeways

Requests to use freeways under concession must be made directly to the corresponding concession holder and respective provincial and municipal governments. Requests to use public routes are made through the respective Ministry of Transportation regional office (Seremi de Transportes).

In Santiago, filming on freeways is only allowed on weekends and low-traffic days and must always be coordinated with the Metropolitan Region Ministry of Transportation Office.

Requests to use non-toll freeways are handled by the Ministry of Public Works. Where the freeway in question is also used by public transportation, permission must also be requested from the respective Transport Ministry regional office (*Seremi de Transportes*).

Toll freeways operating in Chile are listed below:

Ruta del Algarrobo

Valles del Biobío

Sociedad Concesionaria Rutas del Desierto S.A.

Autopista de Antofagasta

Sociedad Concesionaria Valles del Desierto S.A.

Sociedad Concesionaria Ruta 160 S.A.

Sociedad Concesionaria Autopista de los Andes S.A.

Sociedad Concesionaria Melipilla S.A.

Sociedad Concesionaria Autopista Interportuaria S.A.

Sociedad Concesionaria Litoral Central S.A.

Autopista del Maipo Sociedad Concesionaria S.A.

Sociedad Concesionaria Rutas del Pacífico S.A.

(Continued on next page)

Ruta 5 Norte, km 481, La Serena (56 51) 267 28 00

http://vallesdelbiobio.cl/

www.rdeldesierto.cl

http://www.autopistasdeantofagasta.cl/

 $\underline{http://www.scvallesdeldesierto.cl/}$

http://www.acciona-ruta160.cl/

http://www.autopistalosandes.cl/

http://www.variantemelipilla.cl/

http://www.interportuaria.cl/

http://www.litoralcentral.cl/

https://www.rutamaipo.cl//

http://www.rutasdelpacifico.cl/

Ruta de la Araucanía Sociedad Concesionaria S.A.

Sociedad Concesionaria Los Lagos S.A.

Ruta de los Ríos Sociedad Concesionaria S.A.

Ruta del Bosque Sociedad Concesionaria S.A.

Sociedad Concesionaria del Elqui S.A.

Sociedad Concesionaria Autopista Los Libertadores S.A.

Sociedad Concesionaria Autopista del Aconcagua S.A.

Sociedad Concesionaria Autopista del Sol S.A.

Sociedad Concesionaria Autopista del Itata S.A.

Sociedad Concesionaria Talca-Chillán S.A. http://www.intervialchile.cl/ruta-de-la-araucania/

http://www.scloslagos.cl/

http://www.intervialchile.cl/ruta-de-los-rios/

http://www.intervialchile.cl/

Ruta 5 Norte, km 409, Peaje Troncal Norte, Coquimbo (51) 217 536

http://www. autopistaloslibertadores.cl/

http://www.scada.cl/

http://autopistadelsol.cl/

http://www.scadi.cl/

http://www.intervialchile.cl/ ruta-del-maule/

The Metropolitan Region urban freeways are listed below:

Sociedad Concesionaria Costanera Norte S.A.

Sociedad Concesionaria Túnel San Cristóbal S.A.

Sociedad Concesionaria Autopista Nororiente S.A.

Sociedad Concesionaria Vespucio Norte Express S.A.

Sociedad Concesionaria Autopista Vespucio Sur S.A.

Sociedad Concesionaria Autopista Central S.A. http://www.costaneranorte.cl/

http://www.tunelsancristobal.cl/

http://www.autopistanororiente.cl/

http://www.vespucionorte.cl/

http://www.vespuciosur.cl/

http://www.autopistacentral.cl/

Railway lines

The State Railway Company (Empresa de Ferrocarriles del Estado (EFE)) is a public legal entity and autonomous state-owned corporation with its own capital that administrates four intercity Metrotrén rail lines: Santiago–San Fernando, Santiago–Chillán, Santiago–Linares and Talca–Constitución.

EFE is governed by the Ministry of Transportation and Telecommunications DFL N° 1, which establishes that the reformulated, coordinated, and systematized text of the corporation's organic law. Its offices are located at Morandé 115, 1st and 6th floors, Santiago, Metropolitan Region. (Telephone: +562-2585-5050).

In northern Chile, the Antofagasta-Bolivia Train (FCAB) Ferrocarril de Antofagasta a Bolivia, a private enterprise owned by the Luksic Group, has operated passenger and cargo rail services in the zone for the past 120 years. Inquiries can be made in writing to info@fcab.cl or by phone to +56 55 2206 100.

Chilean airspace

Chilean airspace is controlled and regulated by the General Civil Aeronautical Directorate (*DGAC*, *Dirección General de Aeronáutica Civil*), which is responsible for regulating, certifying, and overseeing aerial activities in that airspace and the related activities of Chilean nationals abroad. DGAC also authorizes air navigation, airport, and meteorological services in order to ensure all such activities are safe, effective, and sustainable.

As stipulated in the aforementioned regulations, it is prohibited in Chile to fly over regiments, military areas, the government palace, government ministries, and wildlife protection areas, among other locations. Those who provide aerial filming services (helicopters, planes, hang gliders, and others) regularly obtain the necessary permits from the DGAC. Low-altitude flights must also be approved directly by the authorities of location to be flown over.

Helicam use in Chile is currently in the process of being regulated in accordance with international standards. Therefore, in authorizing the use of grips in aerial shots, the DGAC consults the international grip registry. To date, only two Chilean companies have been certified for such work: Congo and Mountain.

The form to request authorization to fly over or land in Chilean territory is available online at: <u>autorización de sobrevuelo y arribo a territorio chileno</u>. The General Civil Aeronautical Directorate has its offices at Miguel Claro 1314, Providencia, Santiago, Chile. Phone: +56 2 2439-2000; fax: +56 2 2436-8143.

Airports

Santiago's international airport (SCL), including its runways, hangars, and all other infrastructure, with the exception of the facilities of the Investigative Police of Chile (*Policía de Investigaciones de Chile, PDI*), are administrated by the General Civil Aeronautical Directorate (*DGAC*, <u>Dirección General de Aeronáutica Civil</u>. Private areas and spaces under concession (shops, Duty Free, transportation, catering and food services, currency exchanges, etc.) are independently managed, and therefore any filming requests and payment of fees should be handled directly with those companies.

Aeropuertos y aeródromos de Chile (con rutas comerciales internacionales y/o nacionales):

- Chacalluta International Airport, Arica.
- Diego Aracena Airport, Iquique.
- Cerro Moreno Airport, Antofagasta.
- El Loa Airport, Calama.
- Atacama Desert Aerodrome, Copiapó.
- La Florida Airport, La Serena.
- Mataveri International Airport, Rapa Nui.
- Arturo Merino Benítez International Airport, Santiago.
- Carriel Sur Airport, Concepción.
- Maquehue Aerodrome, Temuco.
- Cañal Bajo Carlos Hott Siebert Aerodrome, Osorno.
- Pichoy Aerodrome, Valdivia.
- El Tepual Airport, Puerto Montt.
- Balmaceda Aerodrome, Balmaceda.
- Carlos Ibáñez del Campo Airport, Punta Arenas.

Maritime and River Routes

Chile's entire coastline is guarded by its National Navy. In all cases where filming along the coastline is required, the corresponding Port Authority (*Capitanía de Puerto*) must be informed in order to prevent accidents and emergencies. This requirement holds as well for navigable

and recreational lakes, the use of which is also governed by the respective port authority.²

Although the coastline is considered a national asset for public use and comes under the purview of the Ministry of National Assets (*Ministerio de Bienes Nacionales*), some of Chile's beaches include private areas under concession, and permission to use them is at the exclusive discretion of the concession holder, although the respective port authority must also be informed. Depending on the region involved, filming requests must be made to the corresponding regional office of the Ministry of National Assets (*Seremi de Bienes Nacionales*).

The Chilean Film Commission can assist producers in channeling requests to the Ministry of National Assets; such requests must be presented at least 15 days prior to the estimated start date of shooting. Requests must include pertinent information about the production company and details of the shoot itself.

The Chilean Navy has no institutional policy on filming, and therefore requests are considered on a case-by-case basis by the institution's Communications Office through the Public Relations Department of the Chilean Navy's First Naval Zone.

Fishing coves usually operate under concession, and therefore requests to film in such locations should be directed to the president of the corresponding fishermen's union.

Requests to film at the Valparaíso port terminal must be submitted to the port concession holder and the corresponding office of the National Customs Service.

² See Annex entitled "Gobernaciones y Capitanías de Puerto."

The General Directorate of Maritime Territory and Merchant Marine (*DIRECTEMAR*, *Dirección General del Territorio Marítimo y de Marina Mercante*,) has contact information for all port terminals in the country and can be reached as follows:

Dirección General del Territorio Marítimo y de Marina Mercante (DIRECTEMAR) +(56 32) 2250 6812 www.directemar.cl

Mountains

Much of Chile's mountainous territory is state-owned and administrated by the Ministry of National Assets. In many cases the Ministry has passed the concession of certain properties and territories to third parties, and therefore producers must verify whether a selected location is managed by the Ministry of National Assets or another public or private entity.

Underwater zones

Like the country's coastline, underwater zones are safeguarded by the Chilean Navy, and as such any filming requests must be submitted to the corresponding Port Authority.

Archeological zones and monuments

Chile's Council on National Monuments (*Consejo de Monumentos Nacionales, CMN*) is responsible for the care and preservation of the country's architectural, historic, and archeological heritage. Requests to film in locations considered part of the national heritage and that imply any intervention in the area, whether temporary or permanent,

must be sent to the CMN one week in advance, as well as to the administrator of the location in question.

These locations may include buildings, archeological sites, or national monuments, many o which are privately owned or administrated by indigenous communities, municipalities or other entities; nevertheless, requests for filming in these locations must be submitted to the CMN along with all pertinent information regarding the types of intervention to be made, the precise location(s) to be used, the number of people participating, the exact date, and a description of the project.

In cases in which no physical intervention of an archeological monument is required, whether recording or other type of activity, no archeological permit is required, but it is best to inform the CMN using the Archeological Authorization Form format.

The Council on National Monuments office is located Avenida Vicuña Mackenna 84, Providencia, Santiago, 750 09; phone: +56 2 2726 1400; fax: +56 2 2726 1457.

Border zones

Persons residing outside of Chile, whatever their nationality, who wish to undertake scientific, technical, or mountaineering expeditions in Chile's border zone must be authorized by the National State Borders and Boundaries Department (*DIFROL*, *Dirección Nacional de Fronteras y Límites del Estado*), of the Chilean Ministry of Foreign Affairs.

Any type of professional filming is considered a technical expedition and must be authorized by DIFROL, which grants permission based on the applicant's country of residence, rather than nationality or country of origin.

DIFROL maintains a list of all municipalities that have been declared border zones for each region of the country (see <u>listado de comunas declaradas zona fronteriza</u>). This list has been updated in accordance with the modifications to Ministry of Foreign Affairs Supreme Decree N° 1.166, dated July 20, 1999, which removed the legal designation 'border zone' from some municipalities and areas.

Permits for professional film and/or photographic expeditions may also be applied for in person abroad at the Chilean consulate nearest the expedition's point of origin.

If the expedition is to be carried out in a State-protected wilderness area, the corresponding permits must be obtained from the National Forest Corporation (*CONAF*, *Corporación Nacional Forestal*).

Hiking, biking, and skiing expeditions in the mountains, car rallies, amateur photographic excursions, and other outdoor pursuits do not require authorization from DIFROL.

Scientific and/or research expeditions involving national, archeological, and/or historic monuments require authorization from the National Monuments Council (CMN).

The Border Department will coordinate the authorizations required from other institutions.

The requirements for requesting authorization from DIFROL are:

- Submit an expedition plan with start date at least 20 days prior to entering the country. This is important to allow time for DIFROL to coordinate with other entities if necessary.
- Provide a list of all participants, including their full name, sex, nationality, passport number, and its country of issue.

- Attach a detailed itinerary of the mountains to be climbed or precise reference to places to be visited during the expedition.
 For extended treks, a map or sketch of the intended route should also be attached.
- The itinerary should include the start and end dates for each site or peak.
- Include the full address (street and number, city, country, and postal code), telephone and fax numbers, and/or email address of the applicant or expedition leader.
- Include the full address (street and number, city, country, and postal code), telephone and fax numbers, and/or email address of an emergency contact person in the country of origin.
- DIFROL may be contacted via email at <u>infodifrol@minrel.gov.cl</u>.
- Further information on DIFROL's rules for border zone expeditions are available online at: expediciones en zona fronteriza de Chile.

Press film shoots

For press filming in Chile's border zones, the interested party should obtain the corresponding accreditations for professional work from the Ministry General Secretariat of Government (SEGEGOB, Ministerio Secretaría General de Gobierno). The individual responsible for the group must send a signed letter bearing the firm's logo explaining the reason for filming and a list of all participating crew members with their passport numbers and countries of origin. The letter must also indicate the locations and dates of filming in Chile and the dates the group will arrive and depart the country. ATA cards are required for temporary entry of equipment, or, in the

event that the applicant's country is not an ATA member then he or she must attach a list of the press equipment to brought into Chile, including the brand and model, serial number, and approximate value in US dollars. Personal equipment, laptops, personal cameras, etc., do not need to go through a special entry process.

Local government permits

Chilean territory is divided into several administrative regions, each of which has a governor, who is appointed by the President of the Republic and advised by regional ministerial secretaries. Regional government responsibilities include coordinating uniformed police forces and authorizing and approving street closures. As such, these entities must be kept informed of all activities carried out in public areas.

As part of their administrative powers, municipalities issue bylaws that establish general rules that are legally binding within the municipality. Therefore, the terms and conditions for filming on public roads, as well as any fees that must be paid to do so, will depend on the municipality involved.

Street closures

Authorization for partial or complete street closures must be requested from the respective municipal and regional authorities at least five, and preferably six or seven, business days prior to the requested closure in order to provide sufficient time to request a feasibility report from the national police (*Carabineros de Chile*).

In cases in which public transportation circulates on the street in question, permission must be requested from the

respective Ministry of Transportation regional office (*Seremi de Transporte*) and from the corresponding Public Transportation Association (*Asociación de Transporte Público*). In Santiago, this association corresponds to Transantiago, the Metropolitan Transportation Directorate. It is also highly recommended that audiovisual productions obtain a list of signatures from local residents who support the film shoot.

For small streets with little vehicle traffic, it is advised that authorization first be requested from the respective municipality, which will assess the need for authorization from the regional government and will coordinate with any other entities involved, such as the police. Permission to close a rural road must be requested from the corresponding municipality or from the regional office of the Ministry of Public Works (*Seremi de Obras Públicas*).

Use of electricity and power lines

The use of electrical energy in Chile is regulated by the Superintendency of Electricity and Fuels (*SEC, Superintendencia de Electricidady Combustibles*) through the application of Electrical Standard 4/2003 (see norma eléctrica 4/2003) on low-tension installations. The regulations found in the standard address the following matters:

- Breaker panels and feeders
- Cabling materials and systems
- Protective measures for hazardous tensions
- Ground connections
- Lighting installations

- Power installations
- Heating installations
- Self-generation
- Hospital installations
- Installations for service stations and gas pumps
- Installations in painting and finishing shops
- Installations for prefabricated buildings
- Temporary installations

For film shoots, generators are used rather than connecting to the electricity grid. These generators are regulated by brand in terms of their decibel level, sound, emissions, and safety measures. For low power requirements, 800–1000 kVolt generators are used.

In locations such as airports where the electrical system is standardized with breaker panels and distributed in accordance with the electricity regulations, the electrical system used for the film shoot will be connected to the power board after authorization is granted by the facility's head of maintenance.

Parking

In some cases, film crews may park in no-parking zones, provided that they have permission from the respective municipal authority. However, it is recommended that regular pay-for-use parking spots, parking lots and parking meters be used for parking when possible.

Catering/food

Authorization to park catering trucks in public places has been covered to date under the film permits that the production company obtains from the respective municipality. Film production companies are also advised to examine the caterer's valid food handling permit.

In some municipalities, food cannot be served on public streets, so in those cases the producers should consider renting a space to serve food to the film cast and crew.

Regulations for major events

The production company must take responsibility for all persons participating in major events and for all actions occurring therein by ensuring that proper safety, transportation, hygiene, food and health measures are in place, among others.

The use of public streets for mass events requires authorization from different entities:

- Regional government
- Police (Carabineros)
- Transportation Ministry Regional Office (Seremi deTransporte) for streets used by public transportation vehicles
- Corresponding municipality or municipalities

If the event in question is likely to alter vehicular traffic, then the Regional Government (*Intendencia*) will send a copy of the authorization to the Transportation Ministry Regional Office, so the latter can inform motorists and suggest measures to avoid potential problems.

The Office of the Undersecretary of the Interior, which is part of the Ministry of the Interior and Public Security, issues permits for major events through the respective regional government, which in turn consults with the health authority, the police, and other public services (depending on the type of activity), before issuing the permit.

If the characteristics of the event or the reports issued during the review stage necessitate other special measures, the organizers are obligated to adopt them, including, for example, ensuring access to public transportation, obtaining municipal permits or asking the fire marshal or the Electricity and Fuel Authority (SEC) for their approval, among other things.

The <u>www.chilesinpapeleo.cl</u> website has an online form to request authorization for a major event. (See: <u>formulario de solicitud de autorización para realizar eventos masivos</u>).

Suggested Code of Conduct for audiovisual professionals shooting on location 3

- 1. It is important to take into account that any filming on private property must be covered by a formal agreement between the production company and the owner(s) of that property and a contract that clearly establishes the rights and responsibilities of the production company, including the implications of filming on private property.
- 2. Regarding the aforementioned implications, the production company should circulate a letter to local residents, merchants, and organizations at least 48 hours

³ The Code of Conduct of the Bureau du Cinéma et de la Télévision de Montreal was used as a reference for this Code.

in advance to notify them of the planned activities. The letter should include the production company's name and address, the name of the production, the location's address, the length of the shoot (including prep and wrap), a description of the activities to be carried out, and a list of names and phone numbers of people in charge.

- 3. In residential districts, production vehicles arriving to the location shall not enter the area before the time mentioned on the permit. These vehicles must be parked without blocking driveways, streets, or other accesses, and their engines must be turned off immediately.
- 4. The production company should consider offering alternative parking for residents with street parking permits who cannot park on the road during filming.
- 5. Private vehicles associated with the production are not included in the parking permits and must park legally on roads away from the set or in private parking areas provided by the production company.
- **6.** The use of sidewalks must ensure that residents, property owners, merchants and their customers have access to their premises.
- 7. Cast and crew must remain within the boundaries of the property as described on the permit or location contract without entering neighboring properties. They must be courteous in their relations with residents, merchants, and customers and keep noise levels as low as possible at all times.
- **8.** Crew members may only smoke in designated areas and must put their cigarettes out in suitable containers.

- 9. Meals must be served and consumed indoors in the area designated on the permit or location contract. The catering truck must be clearly identified, and all movements associated with catering activities must be limited to the property noted on the film permit. All garbage must be disposed of correctly.
- 10. At the end of filming, all garbage must be taken away from the location, and the locations must be left in their original condition.
- 11. Pruning, removing and/or cutting bushes or trees is prohibited unless it is approved by the Sanitation and Landscaping Department (*Departamento de Aseo y Ornato*) of the respective municipality.
- 12. The film crew may not remove any official streets signs. In the event that this is necessary, requests must be sent to the municipality or to the Ministry of Public Works responsible for the signs.
- 13. The producer must ensure the safety of the crew and the general public while making use of private and/or public property for filming.
- **14.** The producer must distribute a copy of this Code of Conduct to each crew member.



LABOR LEGISLATION

Law Nº 19.889, Regulating the Working Conditions and Labor Contracts of Arts and Entertainment Workers

Law 19.889, Regulating the Working Conditions and Labor Contracts of Arts and Entertainment Workers (<u>Ley n° 19.889</u>, <u>que Regula las Condiciones de Trabajo y Contratación de los Trabajadores de Artes y Espectáculos</u>), in force since November 1, 2003, applies to technical and professional workers in the film and audiovisual area who work as employees under contract, i.e. they work for a specific number of hours on productions and take orders as part of their duties.

Employers are exclusively responsible for drafting employment contracts and must do so within the legally stipulated timeframes; employment contracts must also be specific to the type of project to be undertaken. Labor jurisprudence holds null and void any document, whether invoice or bill for service, that takes the place of an employment contract when the labor relation is contractual and subordinate; in other words, the nature of the existing relationship takes precedence.

The key provisions of this Law are as follows:

- The workday should be 10 hours, including two overtime hours, plus meal breaks (the overtime rate is equal to 1.5 times the regular rate).
- The timesheet must record the time in and time out of technical personnel, including both the regular shift and overtime.
- There is no hourly compensation.
- Insurance and union dues must be paid in the first ten days of the month.
- The employer is responsible for paying unemployment insurance.

- The employer is responsible for paying workplace accident insurance.
- Remuneration must be paid on the date stipulated in the employment contract and must be no later than the legally established maximum of 30 days.
- Workers are entitled to a minimum of 12 hours of rest between shifts.
- While Law No 19.889 considers Sunday a workday, those working on continuous projects may only work two Sundays per month.
- Regarding dismissal, it is important to consider that where an employment contract exists, dismissals must be carried out as set out in the law and in the Labor Code.
- For projects coming to a close, termination of the labor relationship on projects lasting more than 30 days, must be documented by a severance agreement signed before a notary; for projects lasting less than 30 days, the salary statement is sufficient.
- The severance agreement must include all payments that the employer is legally bound to pay: remuneration, taxes, insurance, pro-rated vacation pay, bonus payments, etc.

The National Inter-enterprise Union of Film and Audiovisual Technicians and Professionals (<u>Sindicato Nacional Interempresa de Profesionales y Técnicos del Cine y Audiovisual, SINTECI</u>) is available to contact its members to fill any technical and professional positions for any audiovisual project.

Film Commission Chile (Comisión Fílmica de Chile), offers a Directory of Chilean Audiovisual Services (*Directorio de Servicios Audiovisuales de Chile*) to facilitate contact between technicians and professionals in the local audiovisual industry and local and international producers interested in filming in our country.

Workplace Safety

The "right to know" about health and safety conditions in the workplace

Article 21 of Supreme Decree Nº 40 issued by the Undersecretary of Social Security (*Subsecretaría de Previsión Social*) of Chile's Ministry of Labor and Social Security approved the regulations governing the prevention of occupational hazards and stipulates that employers have the obligation to inform all of their workers in a timely and convenient manner about any risks or hazards related to their work, along with preventive measures they may take and proper work methods.

Article 184 of the Chilean Labor Code states that employers are obligated to take all measures necessary to effectively protect the life and health of their employees and to maintain appropriate health and safety conditions in their operations and the equipment necessary to prevent occupational accidents and illnesses.

A safe working method is understood to be a mode of work that has clearly defined steps to be followed and safety measures to be taken. Preventive measures are understood as all those that serve to effectively protect workers' lives and health.

For the purposes of the "right to know," hazards are understood to be those that are related to the nature of the job and workplace and that cannot be separated from them. Thus, hazards are those inherent to a company's activity.

The right to know about workplace health and safety conditions must be complied with in a timely and convenient manner:

- 1. When a worker is hired by a company.
- 2. When a new work procedure is adopted.
- 3. When changes are made to the production process.

Furthermore, workers must be kept informed of the following:

- **1.** The elements, products, and substances used in production processes and/or on the job.
- **2.** The nature of the above (formula, common names, appearance, and odor) and permissible exposure limits for these products.
- **3.** Any health hazards and measures in place to control, prevent, and/or avoid them.

The following sources can provide information on the right to know:

- Hazard Prevention Department
- Occupational health and safety committees
- Internal health and safety regulations
- Documents prepared especially for this purpose

The following are some of the hazard prevention instruments that companies may have in place when the requirements for these are met:

- Company regulations
- Occupational health and safety committee
- Hazard Prevention Department
- Right to Know

Maximum weights for manual loading and unloading

On August 5, 2005, the provisions to protect workers who manually load and unload cargo, Law N° 20.001 on Regulating the Maximum Acceptable Weight-Lifting Limits for Persons, known as the "sack law" (*ley del saco*), entered into force. The law establishes the employer's responsibility to use appropriate practices, especially mechanical equipment, to prevent the need for habitual manual loading.

For activities in which manual handling is unavoidable and mechanical assistance cannot be used, workers should not handle loads greater than 50 kilograms. Workers under 18 years of age and women in general, may not carry, transport, drag, or push loads over 20 kilograms manually or without mechanical assistance. Pregnant women are prohibited from manually loading and unloading cargo.

Nevertheless, it should be pointed out that the weights indicated are maximum loads, which does not mean that workers should handle such loads. Manual handling of given loads will depend on the physical condition of the worker performing the task, and the employer must consider this factor when organizing the work.

Article 3 of Ministry of Health Supreme Decree N° 594, enacted in 2000, which approves the rules on basic workplace health and environmental conditions, establishes that the employer must create the necessary health and environmental conditions in the workplace to protect the life and health of both directly contracted and subcontracted workers performing activities in the workplace.

Article 11 of the same decree stipulates that workplaces must be kept clean and orderly, while Article 6 provides that

workplace interior walls, hanging ceilings, doors, windows, and all other structural elements must be kept clean and in good condition and be painted as required, depending on the nature of the work performed therein.

Thus, as indicated above, the employer is responsible for complying with all basic health provisions in the workplace, and as such workers may report any violations to the Health Service (*Servicio de Salud*) as established in Article 2 of Supreme Decree N° 594. Under Article 191 of the Chilean Labor Code, workers may also lodge their complaints with the respective Labor Inspection Office (*Inspección del Trabajo*) regarding workplace health and safety matters over which this office has jurisdiction.

Hygiene

Article 21 of Supreme Decree N° 594 provides that all workplaces must have individual or collective restrooms with at least a sink and toilet. Each toilet must be enclosed in its own compartment with a door and separated from other such compartments by permanent partitions. In workplaces with both male and female employees, independent, separate restrooms must be provided for each gender.

Article 22 of the same Supreme Decree expressly stipulates that the employer is responsible for keeping restrooms protected from the entry of health vectors (insects, rodents, etc.), clean, and in good working condition. The minimum number of stalls will depend on the number of workers, as follows:

Employees	Toilets	Restrooms
1-101	1	1
11-30	2	2
31-50	3	3
51-60	4	3
61-70	4	3
51-60 61-70 71-890	5	5
91 -100	6	6

For workplaces with more than 100 workers per shift, an additional toilet and sink must be added for every 15 workers.

Article 12 and following of the same legal norm regulates the supply of drinking water in workplaces, stipulating that all work stations must have access to safe drinking water and facilities for basic personal care and hygiene, whether individual or collective. Restroom facilities, fixtures, plumbing, and complementary devices for drinking water must meet all applicable legal provisions currently in force.

Occupational safety laws

Occupational safety is addressed in Chilean Law No 16.744 on Workplace Accidents and Occupational Illnesses, which includes provisions for mandatory occupational health and safety insurance, paid by the employer, to protect workers against workplace-related hazards, accidents, and job-related illnesses.

This mandatory insurance is administered by the Occupational Safety Institute (*ISL*, <u>Instituto de Seguridad Laboral</u>), unless the employer is a member of an employers' mutual insurance company such as ACHS,

Asociación Chilena de Seguridad, *MUSEG*, Mutual de Seguridad de la Cámara Chilena de la Construcción, or the IST, Instituto de Seguridad del Trabajo. Thus, under Law Nº 16.744, the entities administrating occupational insurance in Chile are as follows:

- Instituto de Seguridad Laboral (ISL)
- Employer mutual insurance companies (ACHS, Museg, IST)
- Companies with delegated administrators

Employer mutual insurance companies are private not-for-profit corporations that administer occupational health and safety insurance. Their central task is to prevent occupational hazards. Companies must always inform their workers of their affiliated insurance administrator.

Occupational health and safety insurance covers workers from the time they begin working, even on the way to their first day of work, do not yet have a written contract, or those who have not received their first wages and therefore have not paid the corresponding contributions, as well as when the employer is behind in such payments.

This protection also extends to accidents that occur on the direct route to and from work and home, as well as those affecting union representatives who are disabled or killed while performing their union duties.

When an individual is injured as a result of work or during work, he or she must inform the employer, who will arrange to transfer the employee to a facility operated by the occupational insurance provider to which the company belongs. This task normally falls to the human resources or employee welfare department. The employer must issue the Individual Report of Workplace Accident (*DIAT*, *Denuncia Individual de Accidente del Trabajo*) in the first 24 hours

after an incident occurs. For medical attention, the company must submit the DIAT when the worker arrives at the healthcare facility. In emergencies, a company identification card is sufficient, though the company must still file the accident report at a later time.

The first steps to take following an accident are:

- A company representative must call the Occupational Safety Institute (ISL, Instituto de Seguridad Laboral) and carry out the appropriate procedures. The ISL covers all medical care when a worker is or was under contract at the time of the accident, regardless of whether the employer has made its occupational insurance contributions.
- The worker must go to the ISL office closest to the company with a copy of his/her Chilean ID card and employment contract and complete sections A, B, and C of the Individual Report of Occupational Accident (DIAT) provided at the occupational accident and job-related illness module (ATEP), request a medical requisition, and then proceed to the healthcare center indicated on the requisition.

In regard to accidents that occur while a worker is in direct route between home and work are covered, as are those that occur in direct route between two places of work, even if the jobs are for two different employers. Should such an accident occur, the worker must advise the employer and proceed to a hospital affiliated with his or her company's insurer.

If the worker goes to a private hospital or clinic knowing the company is affiliated with the ACHS (*Asociación Chilena de Seguridad*), he or she renounces the occupational accident insurance and is therefore not covered. In general, the law does not provide for coverage in private clinics, except for life-threatening situations where the victim has to be taken to the nearest health care center.

Such situations are covered under the law on emergencies (Law No 19.650, which Refines Health Sector Standards).

Enforcement and regulation of occupational health insurance is overseen by the Superintendency of Social Security (Superintendencia de Seguridad Social, Suseso). Additionally, the Labor Office (Dirección del Trabajo), which is part of the Ministry of Labor and Social Security, has a Labor Inquiry Center (Centro de Consultas Laborales) that can answer questions and provide information online about accidents in and en route to the workplace, occupational illnesses, benefits, and other matters.

Child Labor

Young people 15 to 18 years of age may perform only light work that is not harmful to their health or development, and only with the express authorization of a parent (mother or father). When the parents are absent, a grandparent, legal guardian, or custodial institution must provide said authorization. In the event that none of the above is possible, a labor inspector may authorize such work. Before taking a job, the minor must accredit that he or she has completed primary or secondary education or is in the process of doing so.

Minors under the age of 15 years may not work, except under exceptional circumstances provided for by law, where authorization is given by the person's legal representative or a family court judge. These exceptions include theatrical, film, television, circus, or similar work, and in these cases the requirements are the same as for hiring 15- to 18-year-olds.

Regarding child labor, minors can only be hired for shows and artistic activities in certain cases, i.e. with the express permission of their legal representative or the Family Court. To obtain this

authorization, an individual employment contract must be drafted, notarized and signed within the first 15 days of work, or in the first five days where the person is hired under a service contract or for a specific project, or where the project is for a period of less than 30 days. Companies who hire the services of minors (under 18) must register their contracts with the Labor Office (*Inspección del Trabajo*) in the respective municipality.

The legal working hours for minors in Chile are as follows:

- 1. Persons under 18 who are enrolled in primary or secondary school may not work more than 30 hours per week while in school and must have Sundays and holidays off.
- 2. Persons under 18 who have worked for a company or individual for more than one year are entitled 15 business days of vacation per year with full pay.
- 3. In no case may persons under 18 work more than eight hours per day.

Legal restrictions and prohibitions on child labor stipulate that persons under 18 may not perform:

- Work requiring excessive force.
- Activities that are hazardous to health and/or safety or morally risky.
- Work in nightclubs and similar establishments, clubs having live shows, and any establishment that sells alcohol for consumption by patrons on site.
- Nocturnal work in industrial and commercial establishments, between 10:00 p.m. and 7:00 a.m.

Theater, film, television, and similar activities may hire minors younger than 15 provided that they meet all the requirements

stipulated for persons of this age, and may hire those under 18 with the permission of the legal guardian or respective Family Court.

Persons under 18 may join a guild or union without requiring the permission of any other individual.

Where an employer violates any of Chile's child labor provisions, which can be reviewed in the National Library of Congress (Biblioteca del Congreso Nacional), any individual may file a complaint with the Labor Office (Inspección del Trabajo) or Family Court.

Recommendations for child labor in the film industry

Chile has no specific legal norms for child labor in the audiovisual sector. In general, these cases are governed by the general provisions of the Labor Code and by Law N° 20.189 (Ley n° 20.189), modifying the former in regard to labor and educational requirements for minors.

Given that this law does not address child labor in the Chilean film industry, it is worth considering the experience of other countries:

Example of child labor, according to Spanish regulations

Age of child	Hours of work permitted
Less than 6 months	2 hours on the set, including 20 minutes on camera (*) Total time including meals: 2.5 hours
6 months – 2 years	4 hours on the set, including 2 hours on camera Total time including meals: 4.5 hours
2 years – 6 years	6 hours on the set, including 3 hours on camera Total time including meals: 6.5 hours
6 years – 9 years	8 hours on the set, including 4 hours on camera (**) Total time including meals: 8.5 hours
9 years – 16 years	9 hours on the set, including 5 hours on camera (**) (Non-school days: 7 hours on camera) Total time including meals: 9.5 hours
16 – 17 years	10 hours on the set, including 6 hours on camera (**) (Non-school days: 8 hours on camera) Total time including meals: 10.5 hours

^(*) Babies may not be exposed to light of 100 foot-candles for more than 30 seconds at a time.

Student or merit interns

Articles 7 and 8 of the Chilean Labor Code contain some legal provisions regarding seasonal work (See: <u>Trabajos de temporada</u>, in Spanish), that apply to students and recent graduates of

^(**) Balance of time spent on education (3 hours of school per child per day for children of 6-18 years) and rest break.

audiovisual, film, and related programs who are hired to work in film and audiovisual productions as student or merit interns, which in legal terms are treated the same way.

Neither students nor interns need to sign an employment contract, although the company that hires them for an internship must provide meals and transportation or expressly compensate them for these in advance. That amount, however, is not to be considered remuneration for any legal purpose.

There are four important points to consider with respect to internships:

- 1. The educational establishment, school, institute, or university must provide the employer with a written request that certifies the student's internship.
- 2. The duration of the internship will be predetermined by the educational establishment in accordance with the number of internship hours stipulated for the specific program or specialization. Once that number of hours has been completed, the student who continues to perform the same duties will legally no longer be considered an intern but an employee.
- **3.** Only one intern can be hired for each position; two or more interns may not fulfill the same function.
- **4.** There is no age restriction on interns, provided the intern is a student and the request is made by the corresponding educational establishment.

It is important to emphasize that the position of merit intern does not technically exist, but rather it is merely another way of referring to an intern, and therefore any merit interns incorporated into a project will be governed by the aforementioned rules for paid interns.

Where there is no document certifying the internship, then the person working must be hired and paid appropriately for his or her work.

In Chile, unpaid work is illegal and no one may work for less than the legal minimum wage, as stipulated in Article 42 of the Chilean Labor Code, which establishes that a worker's base salary cannot be less than the legal minimum monthly wage.

For further information on these issues, please consult <u>Law N°</u> 19,250, which modifies Books I, II, and V of the Labor Code, Article 2472 of the Civil Code and other legal texts (in Spanish).



SPECIAL EFFECTS

Importation of explosive material for special effects

The enactment of special effects in the audiovisual sector is governed by law N° 17.798 on Weapons Control and is similar to the regulations on the importation and use of pyrotechnical material (fireworks).

Article 39 of the supplemental regulations of the same law establish the following requirements for importing fireworks:

- **1.** The importer must be registered, which requires presenting the following documentation to the respective regulatory authority:
- Identification of the applicant, constitution of the legal entity and its legal representative.
- Request by the company's legal representative or a natural person that defines the areas to be registered and the precise amounts to be stored.
- Certificate of background check of the company's legal representative.
- Background information on the storage facility, including a detailed description and a scale drawing of the site, which must be authorized by the order of the General Directorate of National Mobilization (DGMN, Dirección General de Movilización Nacional).
- Legalized photocopy of the current municipal license.
- Photocopy of the company's national tax ID (RUT).
 - Once the registration process is complete, the DGMN grants an order authorizing the natural or legal person to import fireworks.
 - 2. Present the documentation for the importation of the product, as indicated in the supplemental regulations of law N° 17.798 on Weapons Control.

In accordance with article 60 of chapter III of the aforementioned regulations, in relation to the permits for foreign trade, "any natural or legal person who wishes to import or export elements subject to control should request authorization directly from the DGMN or through the regulatory authorities in accordance with the documents detailed therein..."

The importation of elements subject to control should comply with the following requirements (article 61 of the regulations):

Retailers

Any company that wishes to import elements subject to control must be registered as an importer, retailer, or habitual consumer in the field and must not exceed the permissible quotas for storage. Furthermore, it must submit:

- A request by the interested party to the DGMN and the regulatory authorities.
- ___ A photocopy of the pro-forma invoice with the company seal.
- One-time Retailers

Must submit the following documentation:

- 1. Request from the interested party to the DGMN and the regulatory authorities.
- 2. Letter directed to the DGMN that contains the rationale for the importation of said product.
- 3. Photocopy of the pro-forma invoice with the company seal.
- 4. Certificate of the legal representative's background check for special purposes.

With respect to the importation of elements subject to control, article 62 of the regulations states, among other cases, that:

- Importation by registered importers. Once the importation has been authorized, a request must be sent to the DGMN for permission for the product to enter the country, presenting the following documents.
 - 1. Form submitted to the DGMN and the regulatory authorities requesting permission to bring the product into the country.
 - 2. Original definitive invoice. If it is a photocopy, it must be submitted with the name, national ID number (RUN), signature of the legal representative, and the company seal.
 - 3. Original air waybill or bill of lading. If it is a photocopy, it must be submitted with the name, national ID number (RUN), signature of the legal representative, and the company seal.
- With respect to the admission of explosives, pyrotechnics, chemical products, or other similar elements subject to control into the country, the following standards must be observed:
 - 1. The importer must have requested the admission order in advance and be in possession of at the time the products arrive. Failing that, the material will be received and held in a storage facility authorized by the DGMN.
 - 2. The admissions order will serve as the right of free passage between customs and the storage facility.
 - 3. The importer will issue a request to the customs agent that the physical control or inspection of the merchandise be performed in the storage facility at the destination.
 - 4. The importer must inform the regulatory authorities of the location of said destination and the arrival date of the elements

subject to control so that a supervisor can check the seals and packaging and verify that the merchandise received corresponds to that which was authorized to enter the country.

- 5. In the event of theft, damage, or loss of any or all of the merchandize during international shipment or the transfer from customs, the importer must present the corresponding regulatory authority with the certificate of damage and customs reports or a document from the insurance company certifying the event in order to update the inventory.
- 6. This product may not be used nor sold until it has been approved by the Chilean Proofhouse. To do this, the importer must provide the institution with the date the items will enter the country and coordinate their analysis.
- 7. In the event that some controlled element does not meet the required standards, the Proofhouse will communicate immediately with the DGMN, and the owner must either export or destroy them within 60 days from the date of notification. During that period the product will remain in a storage facility to be determined.
- 8. The owner will request that the regulatory authority of the storage facility destroy any damaged or deteriorated elements. This action must be documented and a copy of the report submitted to the DBMN. The destruction of chemical products must be requested from specialized entities.

If the number of elements subject to control is less than the number that appears on the importation order, the difference may be completed on a one-time basis in the course of 120 days of admission. That procedure requires a new admissions order (article 63).

In exceptional and well-founded cases the interested party may request that the respective regulatory authority provisionally authorize the admission of elements corresponding the authorized importations while waiting for the corresponding documents. Said authority will inform the DGMN of such. The use or sale of the products is prohibited until the final quality control procedure has been performed by the Chilean Proofhouse, proof of which will be demonstrated with the respective control certificate (article 64).

The use of special effects

The technician in charge of the special effects for filming with weapons and explosives must have a license to handle explosives in Chile, which is granted by the DGMN in accordance with law N° 17.798 on Weapons Control and is valid for two years.

Permission to achieve the special effect must be requested of the regulatory authority, which is currently the national police (*Carabineros de Chile*), at least 10 days in advance by presenting the following documents:

- A letter from the company requesting authorization to enact the special effect, indicating the date, motive, location, name of the technician responsible, and attaching the respective licenses to handle explosives or fireworks.
- Letter authorizing the location that the special effect will take place.
- Letters informing the police (*Carabineros de Chile*), the fire department, and the health facility closest to the site of the effect.
- Sketches of the effect.
- Liability insurance.
- Safety measures to be taken.
- A list of the products to be used with their respective certificates.

Once those documents have been presented, the regulatory authority will make a preliminary technical visit to review the feasibility of the effect. A second technical visit will take place the same day as the effect, and at that time all of the material to be used must be set up and installed. It is advisable to have the technical approval four hours prior to the event. Only the technical team, duly licensed to handle explosives, may use the material.

The regulatory authority will issue a series of documents that validate the enactment of the effect:

- A right of free passage (for the transportation of the explosives).
- Authorization of purchase (which will allow the legal abatement of the products used).
- Order authorizing the enactment of the event with a copy for the police (*Carabineros*), fire department, and the local health facility.

The entity hired for or in charge of enacting the special effect must present to the regulatory authority proof of liability responsibility insurance that covers injury to third parties and damage to public and private property for both the event as well as the transportation of the elements.

The entity that enacts the special event (whether a specialized company or a natural or legal person) must be registered in the National Registry of the General Directorate of National Mobilization (DGMN) in the area of the sale and handling of pyrotechnic explosives.

It is recommended that prior to the enactment of the special effect the local community be notified in writing with a description of the event along with the names and telephone numbers of the producer and those in charge of the production. It is obligatory to have a fire truck and ambulance on site during the enactment of any special effects that require explosives, the organization of which is the responsibility of the production team.

The <u>supplemental regulations of law Nº 17.798 on Weapons Control</u> <u>and Similar Elements</u> (in Spanish) contains information of interest for the audiovisual sector on the storage and transportation of pyrotechnics for film and television as well as pyrotechnic materials indoors.

According to this regulation, the purchase and use of pyrotechnics must include the coordination of proper installations (arsenals) for their storage. Mobile arsenals are authorized for the effects of the explosives used by the audiovisual sector and are defined as "those that can be transported from one place to another by vehicles. They must be fully enclosed and noncombustible, have an interior lined with a non-ferrous material, and have metal access doors. They may also be boxes for manual transport for smaller tasks" (article 233, subheading d).

Article 234 establishes that "mobile surface explosive storage, used primarily by small mining operations, construction companies, and contractors, will be composed of two boxes, which must have the following general characteristics:

- 1. Metal boxes with iron plates at least 1.6 mm (5/8 in) thick, interiors lined with an insulating material, and protected from oxygen.
- 2. For transporting, they must have two lateral handles, and the detonating box must have a handle on the top. They must also have ventilation holes in the lateral walls.
- 3. The explosive stored must not occupy more than 50% of the useful volume of each box. They must be installed in separate shafts and at a distance of no less than 9.5 m (31.1 ft) apart.

In accordance with article 266 of the regulation, the transport of explosives and dangerous elements controlled by law must include safety measures against hazards and the official Chilean standards NCh.385/Og.1955, Safety measures for the transport of flammable materials and explosives, as well as NCh.391/Of.1960, Additional safety measures for the transport of explosives and flammable materials by truck. The following factors must be present:

- 1. Amount of explosives.
- 2. Packaging characteristics and condition.
- 3. Load preparation.
- 4. Nature and characteristics of the load.
- 5. Medium of transportation to be used.
- 6. Monitoring and protection during transport.
- 7. Road and weather conditions.

In accordance with article 267, all transportation or shipment must be accompanied by a right of free passage, which will be valid for 20 consecutive days and will be granted by the regulatory authority of the location from which the shipment begins. In both cases, the applicant must present a current annual registration certificate that corresponds to the location to which the explosives will be transported.

Weapons

Working with real weapons in the audiovisual sector is not allowed in Chile. Only blanks or real weapons that have been modified for use with blanks may be used for filming. Weapons that have been modified for use as blanks are inspected by the regulatory authority—the police (*Carabineros de Chile*)—and the

General Directorate of National Mobilizations (DGMN) upon entrance into the country.

In the event that there is a need to circulate with weapons, a right of free passage from the corresponding regulatory authority is required.

Use of institutional clothing and vehicles of the Armed Forces, Investigative Police, and Carabineros

The use of military and police (*Carabineros*) uniforms is punishable by law in Chile. Should their use be required in audiovisual media, contact must be made with the communications department of the respective institution to request a meeting. It is recommended that a copy of the script for the audiovisual piece be presented in order to clearly explain the context in which the uniforms will be used.

This prohibition is made explicit in the following provisions:

- Article Nº 3 of constitutional organic law Nº 18.948 of the Armed Forces, "Only Army, Navy, or Air Force personnel may use the uniforms, insignias, medals, emblems, and badges that are established in the Personnel Statues of the Armed Forces and respective regulations."
- Article 333 of the Military Code of Justice, in accordance with transitory article 2 of the September 7, 1944 law N° 7.836, and article 7 of the October 27, 1944 law N° 7.852:

"The unauthorized use of the uniform, insignias, badges or medals of the Armed Forces or *Carabineros de Chile* is punishable by imprisonment with a sentence of up to 1,095 days. The same sentence shall apply to the illegal or malicious manufacture, import, storage, distribution, or sale in any form of the

aforementioned items. Should any of said offenses occur in time of war, the sentence will be duly increased."

In accordance with these provisions, the use of the branch in institutional uniforms and vehicles in a film requires authorization from the respective institution.

The use of Chilean Army uniforms will be reviewed on a case-by-case basis by the institution's Communications Department, which may be contacted at departmento.comunicacional@ejercito.cl and telephone (+56-2) 2693-2527. Permission from the Air Force may be requested through its Communications Department at telephone (+56-2) 2976-5398, and requests to the Navy should be presented in a letter to the Office of the Secretary General at: Correo Naval, Edificio de la Armada de Chile, Plaza Sotomayor, Valparaíso.

Requests to the police, *Carabineros de Chile*, are made through the Social Communications Department at telephone (+56-2) 2922-0080 – 2922-0081, central number (+56-2) 2922-0000. And finally, the use of Investigative Police badges require authorization from the institution's National Office of Public Affairs at jenapu@investigaciones.cl.

In response to the needs of the audiovisual project, uniforms may be designed and be similar to the institutional clothing but free of distinguishing elements.



PROMOTION
OF GOOD
ENVIRONMENTAL
PRACTICES

According to the United Nations Environment Programme (UNEP), "green jobs" are those that reduce the environmental impact of businesses and economic sectors. An audiovisual project, like any product or service, is environmentally friendly if it makes the process more sustainable, contributes to the mitigation or adaptation of climate change, promotes the protection of natural resources, and complies with the objectives of sustainable development if said environmental actions are within the framework of decent work with fair pay, opportunities for personal and professional growth, and protect life in a dignified and safe manner.

Socially responsible filming

The cinematographic and audiovisual industry in Chile seeks to promote environmentally friendly audiovisual projects that make the responsibility of collaborating with sustainable productions and the conservation of our environment a common and shared effort.

In this context, and prior to beginning filming, the following actions, among others, are recommendable:

- among others, are recommendable:Reduce the use of any disposable utensil or material
- Use a personal cup for hot drinks.
- Use a personal thermos for cold water or reuse plastic bottles.
- Use cloth bags and avoid plastic.
- Reduce the use of paper by printing only when necessary.
- Use recycled paper for printing and making copies.
- ___ Print on both sides of the paper when possible.

_	Reuse all types of paper material, such as envelopes, folders, cardboard boxes, and others.
	Use email, SD cards, or USB devices (not paper).
_	Saving energy at work
_	Avoid turning on lights when there is enough natural light.
_	Turn off the lights at the end of a workday.
_	Turn off and unplug electronic devices when not in use.
	Use energy-saving light bulbs whenever possible.
_	Sustainable buying
_	Use cloth or recycled paper bags or reuse plastic bags.
_	Choose natural non-toxic, biodegradable cleaning products.
_	Use rechargeable batteries.
	Save plastic whenever possible by not buying individual bottles of water, using filters, thermos bottles, or large containers for collective use.
	The following measures are suggested during filming:
_	On location
	Turn off the engines of the trucks and production vehicles when not in use.
	Avoid installing generators near residential buildings or homes.
	Rent and/or use fuel-efficient vehicles.
_	Take care that the trucks do not break tree branches as they pass.

_	When attaching traffic signage on trees, tie them with string, avoiding adhesive tape or metal fasteners.
	Properly manage hazardous waste.
_	Food Services
	Buy reusable or biodegradable cardboard plates and utensils to reduce the use of Styrofoam and plastic plates, cups, and utensils.
	Use a water cooler or filter on the set for use by the crew and technicians.
_	Buy meals from local providers whenever possible.
_	Art Department
_	Use recyclable products.
_	Build sets with recyclable materials such as wood.
_	Optimize paper use
_	Only print pages that have script modifications.
_	Use recycled paper for printing and copying.
	Properly size the number of communications that fit on the page.
	Work digitally; use a paperless office, email, and SD cards or USB devices.
	Reuse location signage.
	The following actions are recommended after filming:
	Donate materials from the art department, props, wood, equipment and consumables to schools and social organizations.

- __ Clean up the area after filming.
- Leave the place in the same condition it was in upon arrival and do not leave anything behind: equipment, trash, signage, etc.



SAFETY DURING FILMING

Risk prevention in audiovisual work⁴

Understanding the risks associated with audiovisual work enables those responsible for filming and/or production to improve and optimize the workplace and ensure the safety and health of their cast and crew.

Taking a preventive approach makes not only ensures the wellbeing of the workers, but also makes the company more competitive. Workplace accidents can result in serious personal injury, costing the company money, affecting its reputation, and decreasing profits.

Accidents do happen, however, despite taking all possible precautions, and experts agree that in-depth knowledge of and a commitment to achieving optimal safety conditions for all those involved, leads to a significant decrease in workplace incidents.

It is important to begin filming only after an appropriate preproduction process that includes planning for safety and/or accident prevention. It is essential that the production crew is aware of the nearest hospitals and health care facilities so they can act quickly should an accident occur, and there should always be a first aid kit on hand during filming.

From an occupational risk management perspective, prevention in the audiovisual industry involves taking the following aspects into consideration:

 Set design (including venues, climate control, lighting, and acoustic conditioning). Attending to this aspect will ensure that the setting

⁴The Guía de Prevención de Accidentes en la Industria Audiovisual (Guide to Accident Prevention in the Audiovisual Industry) published in 2008 by the Asociación de Servicios e Insumos para la Industria Audiovisual de Uruguay (Aprove) was used as reference material for this section.

has all the necessary conditions and meets all legal requirements for industrial health and safety.

- Equipment selection. It is essential, for example, that camera operators and lighting professionals perform their work in an ergonomically correct manner in order to prevent musculoskeletal disorders. To discourage strain and prevent many common posture problems experienced by such professionals, the use of tripods and ergonomic chairs is recommended.
- Organization of tasks to avoid working systems that lead that leads to stress, fatigue, and a lack of motivation.
- Crew member training and awareness is especially important because it is not very helpful to have good equipment and suitable locations if the crew does not know how to conduct themselves while erecting and dismantling platforms and accessories.
- Identification of hazardous areas prior to filming.

Working at Heights

This risk is common in on-location filming, in the use of filming accessories, in set assembly and dismantling, and in productions requiring the use of cranes, scaffolding, or hoists, etc.

Risk prevention for work at height involves the use of personal protective gear, especially headgear, and always using a full-body safety harness suitable for the particular situation.

Work at height, especially by crew members installing and dismantling equipment, brings with it associated risks that must also be addressed—poor head postures and uncomfortable manual work. These situations cause workers

to experience fatigue, which in turn will make their reactions to any risk that may occur slower and less effective. This situation is addressed below in the section on ergonomic risk.

Vertigo compounds the seriousness of working at heights, and it is important to have trained crew members who do not suffer from vertigo. Since people who suffer from vertigo are often unaware of the symptoms, it is important that crew members have the requisite medical certificate enabling them to work at height. When any doubt exists, a doctor should be consulted.

Considerations prior to taking preventive action:

Before taking preventive action, it is important to be aware of the laws applicable to each situation. For example, the international standard of the Occupational Safety & Health Administration (OSHA) sets a minimum height for which workers must have a fall protection system is 1.80 meters (6 feet).

The Personal Fall Arrest System (PFAS), which has three basic components:

 Anchor: A secure point of attachment for lifelines, static lines and/or deceleration devices. Identifying a suitable anchor point is the key to success.

Anchors used to secure fall protection equipment must meet the following requirements:

- ____ Be independent of the fall protection equipment.
- ___ Be within easy reach of users.
- ___ Must not be tied to the lifeline or around a beam.

- Must not have more than one person sharing the same anchor point.
- Must take into account the danger of sharp or rough surfaces cutting the line.

Full body harness: Consists of straps that can secure the worker in a way that distributes the fall arrest forces over the thighs, pelvis, waist, chest, and shoulders, at least. The harness must also have a means of attaching to other components of the personal fall protection system, distributing the load to minimize injury.

The full-body harness must:

- ___ Be inspected before each use.
- Be simple to put on and remove.
- Be comfortably fitted to the user.
- Not be used for individuals weighing more than 135 kg.
- Help position the victim for rescue.
- Connectors: Devices used to couple parts of the fall protection system and keep them fastened securely together. These can be independent or integrated components.
- Deceleration device: Any mechanism such as a fall-arrest device, shock absorber, self-retracting line, etc., that dissipates a substantial amount of the energy during a fall or limits the energy that a person would receive during fall arrest.

Preventive action:

"Working at height" includes any operation performed above ground level. Historically, this type of work has presented one of the greatest safety concerns, because the consequences of accidents occurring under such conditions are often serious, critical, or even fatal.

Preventive measures for working at height vary, depending on the type of equipment used. Some of the most common are:

Ladders

Prevention standards for the use of ladders are simple, as these devices are also simple to use, although this could also explain why many serious accidents occur as a result of the misuse or poor condition of ladders.

- Ladders should rest on a stable foundation against a solid, fixed surface to prevent them from slipping or swaying.
- In placing a ladder, it is important that its pitch be approximately 70-75° and that the distance between the feet and the supporting wall be ¼ the working length of the ladder.
- Ladders must be attached to a stationary support (preferably at the top of the ladder) and must extend at least 1 meter beyond the height of the task.
- ___ The rungs of wooden ladders must be free of knots and attached to the wooden rails or runners.
- When climbing or descending, a ladder, workers must always face the ladder and have their hands free.
- Workers must never place their weight on the top rung of the ladder.
- ___ Anyone using a ladder must wear non-slip footwear.

- Scaffolding The scaffold assembly must be stable and strong. Scaffolding must not be used for heights greater than 6 meters (20 feet). For heights greater than 3 meters (9.8 feet), scaffolding must have diagonal bracing to stabilize the structure and make it more rigid. The maximum separation between support points is 3.5 meters (11.5 feet). For fall heights greater than 2 meters (6.5 feet) above the ground or floor, scaffolds must be equipped with guardrails. The minimum width of a scaffold platform is 60 centimeters (23.6 inches). When loading materials onto the scaffold platform, loads must be distributed equally across the platform surface. Platforms On tubular scaffolding, the work platform may be made of wood or metal. When wooden, work platforms must be made of boards at
- Metal platforms must be made of steel planks with a nonskid tread.

cracks parallel to the grain of the wood, etc.)

least 5 cm (2 inches) thick that are free from defects (knots,

Work platforms must be protected by means of rigid guardrails situated at a height of 90 cm (35 in) around the entire

perimeter. They must include a handrail, mid-rail and toeboard and have a minimum strength rating of 150 kg/110 lb/m.
The minimum width of the platform is 60 cm /24 in (three 20 cm/7.8 in wide wooden planks or two 20-cm/7.8 inch wide metal planks), and it must be attached to the tubular structure such that it will not tilt, slip, or be subject to any other hazardous movement.
Given the different types of risks associated with the equipment used for working at height—such as falling persons or objects and/or loss of stability of the platform—the following preventive actions are also recommended:
Carefully examine the surface of the platform upon which workers will stand in order to determine its condition.
Ensure all accesses to scaffolding and platforms are safe, free from obstacles, and have non-slip surfaces and handrails.
Use a safety belt affixed to secure fixed points.
Never work at height alone.
Never work outside when the wind speed is greater than 50 km/h; 30 mi/h.
Stop work in the case of frost, rain, or snow.
Avoid moving on the scaffolding while carrying anything.
Use suitable (non-slip) footwear.

Ensure that the person performing the work at height has

Legal provisions applicable to working at height are as follows:

been medically certified for such work.

- Article 184 of the Chilean Labor Code (Código delTrabajo).
- Ministry of Health Supreme Decree 594, which Approves the Regulations on Basic Health and Environmental Conditions in Workplaces, articles 53 and 54.
- NCh.1258/Of.2004 Personal fall-arrest systems.
- NCh.2458/Of.1999 Protection systems for Work at Height.
- NCh.998/Of.1999 Scaffolding. General Safety Requirements.

Handling of Hazardous Materials

Moving heavy or unwieldy materials whether manually or mechanically almost always involves poor posture and/ or incorrect effort when workers are not trained in how to properly perform such tasks. If performed incorrectly, both repetitive work and occasional but excessive lifting can lead to musculoskeletal disorders.

Other dangerous materials include those that sharp or flammable, electrical generators, and chemical products, and it is essential for workers to use proper protective gear and inspect the condition of said materials before handling them.

Preventive Actions:

To reduce the risks involved in materials handling, the following should be taken into account:

 Keep the workspace clean and orderly, as this reduces the risk of tripping and decreases the need to handle loads and to engage in unnecessary movements or positions.

- Before beginning work, gather all of the materials needed and place them nearby to prevent unnecessary movement and handling of loads.
- Collect trash and waste material and deposit them in suitable containers to keep traffic areas obstacle-free.
- Make sure to keep both hand and electrical tools in good working order, clean, and well lubricated so they can be operated optimally and with minimal effort.
- Always try to select the most suitable tool for the task at hand, using material in good condition that is easy and comfortable to handle.
- It is important to adopt healthy work habits such as taking short breaks when maintaining forced positions for more than 20 minutes or attempting to change position often (by rotating tasks, for example).
 - To avoid hazards associated with handling heavy materials, the following is recommended:
- Before handling heavy or hazardous materials, attempt to reduce the risks involved (for example by dividing up the load or covering the container.
- Ensure that the materials handling area is orderly.
- Whenever possible, avoid handling heavy equipment or loads manually. Plan in advance what form of assistance is to be used (cranes, wheelbarrows, carts, forklifts, or other people, etc.).
- If heavy items must be moved over a short distance and mechanical equipment cannot be used, it is advisable that at least two people move the load together.

- Determine the type of personal protection to be used. Gloves should be used to improve grip, and it is important that they have well-cushioned palms to prevent injury from contact with the edges of the material and allow it to be gripped with the entire hand, not just the fingers.
- Avoid excessive force and forced positions of the hand.
- Personnel moving heavy objects should always be properly trained, particularly in back injury prevention.
 - To ensure the proper use of personal protective gear, the following is recommended:
- It is essential to keep in mind that personal protective gear is reactive; it does not reduce the risk of accidents but rather mitigates their consequences. Therefore, the priority should always be to eliminate the risk at its source.
- In activities where this is difficult to achieve due to time constraints, technical options and/or economic feasibility, it is indispensable to ensure that the right personal protective gear is used.
- It is essential to use suitable gloves when handling sharp, abrasive, chemically harmful materials and/or extreme temperatures.
- Use a lumbar support belt for tasks that require moving heavy loads or improper working positions.

Working with electrical current

Working with electrical current always implies exposure to risks and hazards to people, equipment, and/or property. Personal safety depends on establishing preventive and corrective actions and putting into practice the following three concerns:

- Basic principles of electricity.
- Safe working conditions and procedures.
- Correct response in emergencies.

It is essential to discover, identify, and measure the risks present when working with electrical current, and the following actions are recommended:

- Put prevention guidelines into practice. These should address the use of suitable personal protective gear that allows workers to prevent injury and accidents. This measure is especially important in the audiovisual industry, given the abundance of electrical equipment, generators, lights, sound devices, cameras, and special effects equipment used.
- Use simple checklists to help verify the condition of the items and tools to be used, the presence of circuit breakers at generator outlets and that the power was indeed cut before starting work. It is essential to use standardized equipment that is certified under the corresponding national and international codes.
- Establish effective procedures for controlling the accidental discharge of residual current by blocking and labeling it.
- It is essential to have current clamps available to test the current strength spaces that are difficult to access or when high-temperature work is required. These are indispensable to protect against potential current overloads.

When beginning a job that involves the use of electrical current, it is essential to keep in mind that suitable clothing is just as important as having a safe workplace. In particular:

- Use good, oil-resistant footwear with dielectric non-slip soles with no metal eyelets or steel toes.
- Before beginning the task, button up the sleeves and remove chains and scarves.
- Remove all metal accessories, rings and watches (gold and silver are excellent conductors of electricity).
 - When creating a safe workplace, it is important to take into account that:
- Moisture can produce an electrically conductive connection that could cause a fatal shock.
- Workers must never work close to a source of electricity while their clothing, skin, surroundings or tools are wet.
- Avoid atmospheric hazards in the workspace, such as dust particles, flammable vapors or excess oxygen, because a spark under such conditions could cause an explosion or fire.
- Poor lighting is a very common hazard in many workplaces;
 where there is insufficient light to perform tasks safely,
 appropriate certified portable lighting must be installed.
 - Before performing any work involving electrical current, it is also important to consider the following recommendations:
- Limit access to the work area with barriers and warning signs.
- Choose the appropriate tools, and test equipment and personal protective gear for the job before beginning work.
- Be aware of the voltage and frequency levels to which workers may be exposed and take the necessary precautions.

- Ensure that all electrical equipment has a ground connection and is properly insulated.
- Protect cables in transit areas to prevent wear and tear and accidents such as falls and electrical shocks.
- Observe the following rules for hand tools:
- All hand tools must have factory-insulation and must comply with the regulatory standards for double-insulated covers and ground wires for electrical cables.
- ___ Do not assume that insulated tools are safe for all types of jobs, especially for working with energized circuits.
- Do not use any tool that has scratches, signs of wear and tear or cracked insulation. The general condition of all tools must be inspected to detect wear and tear and/or defects.
- Tools must also be examined to verify that all safety guards and protective coverings are in place; workers must never attempt to install such protections themselves.
- All cables and electrical switches must be inspected for cut or torn insulation, exposed terminals and loose connections.
- For occasional supply, available electrical installations must be verified before beginning the job, and the most suitable point of connection to the electricity grid identified, in accordance with the local electricity supplier.
- In regard to electrical power outlets and extension cords:
- Verify that all extension cords are the correct size and specification for the tool being used.

- Always use electrical outlets with a ground slot, which should not be overloaded.
- Do not use more than one adapter for each double wall outlet.

After finishing the job, it is advisable to check the installations of the individual branch circuit. These installations are generally suspended in the air or underground. Avoid the danger of direct contact or current leakage and have a breaker panel with automatic circuit breakers and high sensitivity residual current device. Ensure that the installation is correctly operating and properly sealed.

Before installing any electrical equipment required for a production, it is crucial to consult the applicable regulations for such temporary installations. The legal standard that should be considered mandatory for this purpose is NCH Elec. 4/2003, Electricity. Installations for Low Tension Consumption (*Electricidad. Instalaciones de Consumo en Baja Tensión*).

Other Chilean legal regulations for working with electrical current are as follows:

 Ministry of Economy, Development and Tourism, Supreme Decree 91. NFPA 70, Standard for electrical safety requirements of workers in the workplace.

Suspended loads

When working with suspended loads, it is important to use personnel experienced with the load (who know what they are transporting and the manufacturer's recommendations) and with materials transport in general, as well as with the parts of a crane, its auxiliary safety features, and the signals that will be used among the crew working on the task (when moving

suspended loads, the operator and a person assigned to guide the load should use a series of previously defined signals).

The crane operator should be familiar with the suspension mechanism, including the cables, pulleys, slings, chains and other elements. If steel cables are used, for example, the operator must check for any visible damage; when using lifting slings, the features, maximum load and condition of the slings must be checked prior to beginning, including checks for chains with deformed links, safety clips, etc. These can be reviewed through a safety checklist before work begins.

Before raising the load, its center of gravity must be checked and personnel must ensure that it is not heavier than the maximum permitted load of the lifting equipment. Additionally, operators must be aware of all other people present at the site and ensure they are alerted or moved aside. It is also important to have personal safety gear, good signage in the work area, and to agree upon clear instructions for the crane operator.

The following recommendations pertain to working with suspended loads:

- Secure the equipment properly.
- Inspect the chains, cables, hooks and ropes to ensure they are an appropriate size.
- Ensure that the lifting device is suitable for the cargo.
- Keep the manufacturer's handling recommendations on hand.
- Before beginning work, prepare all loads to be lifted.
- Ensure that the guy lines are long enough so the person helping to move the load does not have to remain underneath it.

- Keep others informed and use security ropes or belts underneath the suspended load.
- People not participating in the maneuver should always remain at a distance from the suspended load.

Filming with atmospheric hazards

Substances that can be hazardous to respiratory health are often used on-location and in film studios. Crew members who come into contact with these substances must be aware of their possible effects and hazards.

It is important to remember that all chemical substances that become volatile and airborne, including compounds used in smoke machines, can be harmful to human health, and measures must be taken to eliminate such hazards.

It is therefore essential to:

- Know the concentration or amount of hazardous material present on site.
- Know the amount of time crew members will be exposed to the hazardous substance.
- Know the characteristics of the substance to be used and its potential health/environmental risks (the probability that a given chemical could cause harm or undesirable effects to susceptible organisms or ecosystems).
 - Atmospheric hazards found in the workplace can be divided into two basic categories:
- Oxygen-deficient environments, i.e., those that contain less than 19.5% oxygen by volume at sea level.

Enclosed spaces that are or can potentially become oxygendeficient include:

- Silos
 Boilers
 Tanks (both storage and transport)
 Ship holds
- Sewers
- Contaminated atmospheres—environments with poor ventilation and limited access in which toxic or flammable contaminants such as dust, aerosols, exhaust fumes, vapors, smoke, or poisonous gases can accumulate.

It should be noted that inhalation is the fastest means for contaminants to enter the bloodstream, and it is therefore very important to protect the respiratory system when working in such contaminated environments.

Ergonomic risks

The adoption or repeated use of painful positions while working causes fatigue and can lead to musculoskeletal disorders over time. This static or postural load is one of the factors that must be considered when assessing working conditions and attempting to reduce this load, and one crucial measure is to improve the location of workstations, especially those used by camera and lighting operators.

Another potential risk associated with this activity is visual fatigue of crew members, particularly camera operators. Visual fatigue is a reversible modification of the visual function caused

by excessive eye strain, and it is therefore advisable to regularly relax the eyes.

When engaging in audiovisual production work, the following factors related to the occupational and workplace environment must be considered:

- Repetitive work, heavy lifting, forced standing, extended periods of sitting or standing, rotation, and vibrations from vehicles and/or machines are often harmful and can produce pain in the lumbar region and other parts of the body.
- The back is generally the most affected:
- When the same position is held for an extended period, whether sitting, standing, or lying down.
- ___ With certain positions that increase the curvature of the spine.
- With great exertion or small but highly repetitive movements.
- With sudden movements or strained positions.
- It is extremely important to maintain the correct posture for working and that any material or furnishings used be adapted to the operator using it.
- Poor posture must be corrected, but it is also important to take into account that workers adopt strained positions primarily as a result of working conditions. These conditions include workstation design, organization of the work, lighting, the demands of the physical and visual tasks at hand, the furnishings, and other aspects.

The following recommendations are suggested to prevent ergonomic risks:

- Workers who engage in detailed work that requires close inspection of materials should have lower seats than those engaged in heavier work.
- For assembly work, the material should be positioned to allow the strongest muscles to do most of the work.
- Hand tools that cause discomfort or injury should be modified. Workers themselves are often the best source of ideas about how to improve a tool to make it more comfortable for handling.
- No task should require workers to adopt strained positions, such as having their arms continuously extended or being hunched over for a prolonged period.
- Workers must be taught the proper techniques for lifting heavy objects.
- Standing work should be limited as much as possible, because it is less tiring to perform a task sitting down than standing.
- Tasks should be rotated to reduce the time that a worker spends on highly repetitive tasks that require the use of the same muscles over and over again.
- The equipment used for work should be configured such that workers perform their tasks with the forearms close to the body and the wrists straight.

Stress and fatigue

Both the cast and film crew (camera operators, grips, gaffers, producers, and others) are subject to long and very intense periods of work. This can slow the decision-making process as well as the ability to react quickly in the face of an immanent risk.

While these individuals are trained for their specific duties, they are rarely trained for prolonged demanding work under constant pressure.

Stress can manifest in biological, psychological, and social symptoms. Many of the biological changes that occur in a body under stress are not perceptible to oneself or others, and a medical diagnosis is required to determine the seriousness of the reaction to it. Nevertheless, many of the psychological symptoms that stress produces can be easily identified by the individual suffering from such symptoms. One of the most frequent symptoms of stress is anxiety, and other clearly identifiable symptoms include physical exhaustion and poor performance, among others.

Stress that is very intense and prolonged over time can lead to health problems, physical illness and mental disorders.

Stress, fatigue, and their corresponding reactions often provoke a strong desire to find a quick solution in order to continue working. Drug, alcohol, and narcotics use only aggravates these problems.

There are different ways to reduce and prevent stress among the crew, depending on their composition and organizational level. Because long work days are common in the audiovisual industry, it is advisable to determine the amount of time that particular tasks are expected to take in order to fit as many breaks in as necessary.

To prevent stress and encourage good time management, the cast and crew of a film production should be well coordinated and consider the following recommendations:

- Have clear objectives and make them known in order to enable and encourage participation and create synergy among the team members.
- Establish deadlines for achieving objectives with realistic timeframes and methods.
- Plan both human and material resources in advance to build a collective vision that includes the organization's goals, values, and mission. This helps foster excellence and continuous learning and can be achieved when people in an organization feel connected to each other.
- Control resources, tasks, the performance of individuals, and the time available from the beginning in an ongoing, continuous manner while maintaining mutual respect.
- Establish clear guidelines to prevent the use of alcohol and drugs during all stages of filming.

Fire

The process for assessing the risk of fire for a given activity includes identifying fire hazards, carrying out fire control and ensuring adequate fire protection.

1. Identifying fire hazards

This stage of the process includes identifying sources of ignition, combustible materials, factors that contribute to the coexistence of ignition sources and combustible material in space and time, and factors that contribute to the spread of fire and threats to life and property.

A fire hazard is any condition that could contribute to the ignition or spread of fire and/or threats to life and property

by fire, leading to considerable damages and exposing people and/or property to undue risk.

Fire hazards are divided into four general categories:

- Ignition initiates combustion and is caused when a fuel is heated to the point of combustion. Any form of energy can be a potential ignition source. Ignition hazards include conditions under which a substance that can burn (combustible material) is or may come too close to something that is hot (energy source).
- Most common materials, other than some metals, minerals and water are combustible.
- Structural fire hazards refer to two properties of constructions that represent a risk of fire: structural conditions that promote the spread of fire and conditions that can lead to a structural failure during a fire.
- Danger to human life is directly related to the evacuation of occupants, which must be the primary safety concern during a fire. Therefore appropriate measures must be in place for exiting the film set. Fire escapes are places in a structure or building that provide a protected path to safety.

2. Fire control

Fires are controlled through passive and active protection from fire. The most common fire control techniques are fire detection and alarms, automatic fire suppression, and structural fire management.

Modern fire prevention and protection technologies have produced numerous methods for detecting fires and alerting people. Automatic fire suppression systems—the most

common of which are sprinkler systems—are designed and installed to control or extinguish fires. Finally, structural fire management seeks to control the spread of fire and move combustible materials beyond the reach of the fire through building design and construction features.

3. Suitable protection

The final stage of assessing fire risks involves selecting the most suitable methods for controlling fire hazards, and the aim in this case is to control significant hazards and comply with all legal fire protection requirements.

The strategies for achieving fire protection goals can be divided into two categories:

- Preventing fires, which can be achieved by minimizing risks by reducing the number of hazardous materials in the workplace and/or substituting safer ones, as well as using low energy systems.
- Managing the impact of fire, by adopting strategies to reduce the hazards associated with the growth and spread of fire. These strategies seek to control combustion and to suppress and control fire via structural means. This includes managing exposure through the use of coordinated measures to protect people, property, activities, and other things of value and can be achieved by limiting the number of items exposed and/or safeguarding them.

Preventive and corrective actions that can be adopted include the following:

Have emergency exits to facilitate evacuation, if necessary.
 Although the importance of building adequate exits is

universally recognized, those that exist in many locations are often unsuitable. It is advisable that all buildings and structures, and each and every area or sector, have at least two separate exits located such that the possibility that a fire would block all is minimal.

- Have personnel trained in fire prevention. A fire prevention and control program should be organized and participants reminded that personal safety always takes priority.
- Have easily accessible and clearly identified emergency equipment on hand (extinguishers, stretchers, first aid kits, etc.)
- In regard to the use of portable extinguishers, it is necessary to:
- Verify that the type of extinguisher is suitable for the type of fire that has occurred.
- Remove the extinguisher and place it on a solid, firm surface (the floor, for example).
- ___ Remove the safety pin.
- Hold the end of the hose, and point the extinguisher at the base of the fire.
- Slowly and firmly squeeze the handle.
- Hold the handle down as long as necessary to extinguish the fire.
- Locations should have fire prevention signage such as NO SMOKING signs, etc.
- All locations must have emergency plans in place that address all potential emergencies that people occupying the place could face. The site should have an alarm system, adequate measures for providing first aid, a

communication system, the possibility for quick closure and evacuation, and portable extinguishers in a visible, accessible location.

In film studios, install automatic ion- or thermovelocimetric fire detection systems, or a combination of the two. It is important to take into account that overheating of electrical equipment and arcing from short circuits resulting from improperly installed or maintained electrical systems are the two main causes of this kind of fire.

For fire prevention, the following recommendations also apply:

- Keep the workplace clean and orderly.
- Respect the signs.
- Keep firefighting equipment in good working order.
- Ensure there are personnel trained in the use of firefighting equipment.
- Remember the phone number of the National Firefighters Corps (104).
- Verify that the location has emergency exits.
 Legal provisions applicable to fire prevention are as follows:
- National Fire Protection Association (NFPA) Standard 30 –
 Flammable and Combustible Liquids Code.
- National Fire Protection Association (NFPA) Standard 70E Electrical Safety in the Workplace.
- National Fire Protection Association (NFPA) Standard 204 Standard for Smoke and Heat Venting.

- Chilean Standard NCh.1433/Of.78 Location and Signage of Fire Extinguishers (*Ubicación y Señalización de Extintores*)
- Chilean Standard NCh.1914/2/Of.85 Determining Heat of Combustion of Materials in General (*Determinación del Calor de Combustión de Materiales en General*).

Aircraft⁵

When an audiovisual production includes filming aerial sequences, everyone involved must receive timely instruction from an air safety professional before filming begins.

During preparation and filming of aerial sequences, only the necessary crew and equipment may be in the designated area. All others not involved in filming the sequence or anyone without written permission must remain outside of the area. Chilean aeronautical regulations do not establish a specific distance, but a distance of at least 150 meters from the aircraft's flight path is recommended.

For this type of activity, constant communication must be maintained between the ground and air crews, and an aerial coordinator should always be present when the aircraft is in the air or taxiing on the runway. This individual is designated by current legislation or by the chief pilot assigned to the production.

Before filming, an announcement must be made that an aircraft will be used and that it will fly near the crew; any objections shall be reported to the production manager or first assistant director.

⁵ Information on safety standards for film productions contained in the website http://www.escueladecineonline.nucine.com/normas.seguridad.htm was used as a reference for this section.

With the exception of takeoff and landing, when filming in populated areas (cities, towns, or any other place where people gather) aircraft are prohibited from flying at an altitude of less than 300 m (985 ft) above the highest obstacle in a horizontal radius of 600 m (1970 ft) around the aircraft. In less densely populated spaces (except over the open sea), aircraft are allowed to fly at an altitude of 150 m (490 ft).

In accordance with Chile's general aviation laws, film operations involving aerial filming are classified as aerial work, and when requiring low-altitude takes in congested areas or that require a detailed flight plan, permission must be requested from the Civil Aviation Authority (*DGAC*, *Dirección General de Aeronáutica Civil*)

Once the flight plan for filming has been made, it cannot be changed under any circumstances without the approval of the pilot and/or aerial coordinator.

If security becomes a major concern, the aerial coordinator or pilot involved will have complete authority and responsibility for aborting the operation. If an object falls into or against the aircraft, the pilot or aerial coordinator must be notified immediately. The plane engines will not be started until timely measures have been taken to avoid any risk to the spectators, technical team, crew and cast.

Smoking is prohibited within 20 m (65 ft) of the aircraft and its fuel tanks, and all crew not directly involved are prohibited from approaching the aircraft. Smoking is prohibited on all aircraft, and in accordance with basic safety standards smoking is not permitted within 20 m (65 ft) of fuel tanks or during fueling of an aircraft or vehicle.

Particular risks

A. Automobiles and motorcycles

Any vehicle used in filming an audiovisual production, including action sequences, must be equipped with safety belts and/or harnesses, with the exception of antique vehicles, which nonetheless should have some kind of safety mechanism for their drivers. It is also mandatory to have a qualified medical attendant present in the event of an emergency.

The driver of a vehicle used in a production must have the proper drivers license for the vehicle type and must be familiar with the techniques required to perform the sequence to be filmed, taking into account the terrain and other conditions. The sequence to be filmed, including ramps, jumps, falls, and other potential hazards, should be discussed by all of those involved.

When using motorcycles in filming sequences, both the driver and those who assist him/her must take sufficient precautions in their use. No one should be near the site in which the sequence is being filmed unless absolutely necessary. Motorcycles, ramps, and any other type of equipment must be examined to ensure it is in a condition suitable for use.

It is obligatory for all motorcycle riders to wear adequate protective clothing and gear such as helmets, gloves, and other items. The sole exception is when the sequence requires otherwise, in which case the rider will wear protective clothing under his/her costume, whenever possible.

All motorcycles should be equipped with an ignition cut-off switch. When a stunt double is acting, the cut-off switch shall be attached to the handle and the driver's wrist so that the ignition will cut off if the driver is separated from the motorcycle.

At no time shall any motorcycle used for filming be used for transportation. No one other than the designated driver may operate or mount a motorcycle except the designated driver during filming of the sequence.

Preventive Actions:

- Use defensive driving techniques.
- Maintain the vehicle appropriately.
- Inspect the vehicle regularly.
- Use rear view mirrors.
- Keep the vehicle clean and orderly.
- Be well rested before beginning filming.
- Take environmental conditions into account.
- Use seatbelts.

It is essential to clearly establish the scope of accident insurance coverage for vehicle drivers during filming. It is also advisable to hire an occupational health and safety expert who specializes in prevention to assess the location and filming requirements to identify significant risks before filming begins.

During outdoor filming, the potential for impacts and collisions with vehicles not related to the production and members of the cast and crew should be taken into account. Given this risk, it is advisable to place traffic cones around the area required by the director and ensure that they remain in place throughout the filming of the sequence. It is also crucial that a guard is present (a traffic police officer or municipal inspector) during the filming period and that anyone who needs to move through any hazardous area wear a reflective vest. This type of occurrence can be prevented by choosing a suitable parking place for vehicles involved in the production and having previously established access routes to ensure that emergency vehicles can arrive and depart quickly and efficiently if necessary.

Chilean legal provisions applicable to the use of vehicles in film productions are as follows:

- Law N° 18.290, on Transit.
- Law N° 20.508, Requiring the Use of Seatbelts and Speed-limiting Devices on Public Transit Buses.

B. Animals

In film productions in which animals are used, the first priority shall be human safety. It is therefore advisable that all work be performed with animals under the care of a qualified, professional animal handler and/or veterinarian.

In general, animals used in filming are accustomed to being around people and therefore do not usually attack them; however, there should always be people

on hand who are trained in handling them. It should be remembered that they are animals, and are therefore temperamental and their actions are not always predictable.

Before filming begins, it is important to warn those involved in the production that animals will be working on set.

In these cases, the doors of the set must be closed. If filming is taking place outdoors, the area that the animals will move about in must be limited and controlled. A suitable arrangement for unloading and loading the animals should also be set up.

The handler or individual in charge of the animal is responsible for obtaining all vaccinations and permits and putting appropriate safety measures into place. This person must also inform and instruct the cast and crew (including parents or guardians of all children on the set) on the precautions and safety measures in effect while animals are on set (keep a safe distance from wild or exotic animals, do not feed them, do not bring pets to the set, do not run, know the possible escape routes, etc.).

If gunshots are to be fired on set while animals are present, the amount of ammunition and explosives should be determined in consultation with the handler and the firearms or special effects team. Tranquilizers or sedatives will only be administered as authorized by the handler and/or a qualified veterinarian. Tranquilizers should not be used to calm or soothe skittish animals, as sedated animals are unpredictable.

Basic safety equipment should be available at all times, including fire extinguishers, water hoses, nets, etc. The smell of alcohol or similar products makes some animals uneasy and therefore appropriate precautions must be taken when such substances are present. A production vehicle and driver must be ready and available in case of accidents during filming.

Horses used in filming must be properly shoed for the surface they are working on and under no circumstances should they be made to fall with shots or tricks, but only with the techniques employed by riders specializing in such actions.

A qualified veterinarian experienced in working with wild or potentially dangerous animals such as felines or reptiles must be present for all complicated actions in which they are involved. Two handlers per animal are recommended in these cases, although it depends on the institution contracted for the filming. For example, when working with an animal from the Buin Zoo, the Zoo has its own team of handlers and determines how many are needed.

Based on film industry experience, when working with this type of animal, only the crew absolutely necessary for filming the sequence should be allowed within 15 m (50 ft) of the action.

Special precautions must be taken for filming with exotic venomous reptiles. These include selecting the appropriate antidote, ensuring it is available and properly stored, and providing anyone working with these animals with proper protective equipment

(special attire for bees, gloves, barriers, nets, etc.). To minimize risks, the venom should also be extracted daily from venomous reptiles, and bottles of CO2 and reptile tongs must be on hand.

C. Filming outdoors

Workers in the audiovisual industry are exposed to the actions of numerous environmental agents while performing their work, and these agents often have attendant risks, including many that are difficult to identify due to the wide variety of situations that come into play during a film project.

Environmental Agent	Illnesses/harmful heath effects	Preventive and corrective actions
Noise and vibration	Hearing loss	Use of personal protective gear
Extreme weather	Heat stress (heatstroke, sunstroke, dehydration, chills, hypothermia)	Provide collective protective measures during breaks
Radiation	Corneal damage, burns, skin irritation	Personal and collective protection (glasses, head coverings), sun block
Skin contact with different particles	Dermatitis, skin allergies	Medical consultation Use of suitable clothing

Atmospheric phenomena, on the other hand, can affect filming in several ways. For example, sets and lighting can be damaged or destroyed, thereby interfering with the filming schedule. Filming in public places also has risks, including the presence of neighbors and other onlookers. To avoid undesirable situations, it is crucial to have signage in place to delimit the area and some way to easily identify cast and crew members.

D. Filming at night

In any active filming zone, the actions of all those involved and of the vehicles required for the production—especially those that transport materials and persons—must be visible to everyone. This recommendation is crucial, especially at night and at other times of reduced visibility.

To ensure visibility, lighting or devices that reflect light from vehicle headlights must be used to make objects stand out from the background. Reflective vests are an effective solution to this concern and a wide variety is readily available on the market.

When operating cameras, generators, lighting, and other systems required for filming specific scenes in complex environments, complete awareness of the surroundings is essential. For this reason, improving visibility is one of the highest safety priorities for film and production companies.

A combination of technology and site design should be used to improve visibility for operators, actors and others present while respecting the original idea of the shoot.

E. Filming in/on water

If a scene is going to be shot on the water, whether open water or in a controlled environment, or in/on some kind of water vessel, other types of risks must be taken into account.

Locks

If the location required for filming is within a meter of the edge of a lock wall, the main deck of a ship, a pier, floating device or dock, or any other structure near or on the water, where the edge does not offer sufficient protection or is inadequate for preventing falls into the water, those responsible for set installation and dismantling, lighting and cameras, as well as cast members, must be provided with suitable personal protective gear.

If scaffolding, elevated platforms, or other similar structures are required where there is a risk of a fall into water, collective and personal protective solutions should be considered.

Tanks

When small closed tanks or pools are built in the studio, they should remain empty. The tank should only be filled when required for filming and should be drained after filming is completed.

For large tanks located inside a studio, the water should be tested by a certified laboratory and the written results delivered no later than 48 hours before filming begins. If the results of the water test show any level of impurity or contamination, timely measures should be taken to eliminate any potential hazard. A second laboratory will then re-test the tank and deliver the results at least 24 hours before filming resumes.

When film locations include aquatic areas such as swamps and ponds, the producer must determine (with the aid of test results from several labs) the degree of pollution and level of contaminants present and take any necessary precautions.

When a location contains polluted water, risks shall be neutralized or the location avoided. Extreme precaution shall be taken where venomous reptiles are present.

Rivers

In any work or activity taking place while suspended over water, or any that involves walking, riding a horse, or driving a vehicle across a river or other deep watercourse, it is essential to have crew members who are trained and certified in rescue operations. The rescue team must be at hand and on alert during filming, and the rescue gear used must meet all legal requirements of the corresponding authorities (such as international bright orange or yellow color for life rafts, reflective material to help locate those to be rescued, etc.).

When the production calls for filming on a river, the producer is responsible for obtaining all necessary information from local authorities on currents, natural hazards, upriver concerns such as dams, dykes, waste disposal sites and/or chemical plants, flooding hazards, etc.

Rapids

When the cast and/or crew must work in rapids, the necessary safety gear must be provided, including ropes and/or nets and the emergency and rescue teams must be standing by during filming.

Lakes

When filming on a lake is called for, the producer must contact the local authorities to ascertain the presence of any hazards such as underwater objects, marine life, contaminants, etc. Where any danger exists, the producer must take the necessary precautions to eliminate the risk or change the location of filming.

All members of the cast and crew scheduled to work on the water must be notified in advance, and crew members working on or near water must be able to swim or wear a life jacket or other safety device. The water temperature must also be taken into account, especially during cold seasons or when filming at high altitude, due to the risk of hypothermia, the lowering of the body's core temperature caused by prolonged immersion in cold water.

All potentially hazardous objects, including those used for filming, should be removed from the water, identified and marked, and all cast and crew members should be notified to keep all potential contaminants away from the water, including paint, gasoline, oil, etc. No other electrical sources than direct current shall be used for productions filmed in or around water.

F. Stunt doubles

A stunt double should be in perfect physical condition, be flexible and strong, and have fast reflexes in order to avoid minor accidents, and therefore training is essential to accustom the body to receiving minor blows and respond properly.

It is advisable to ensure that those hired for this risky position have a basic level of training in different styles of acrobatics, wrestling, falls, and exercises to condition the body to respond to the requirements of the film.

It is crucial that stunt doubles are trained in the specific skills required for the film; improvisation should not be accepted. For example, physical training is as indispensible for fighting as the ability to fake the action while taking into account the angle of the shot and position of other actors. The stunt double must be trained in and familiar with the use of objects such as cables and so must be confident in working as a team and in his/her sense of balance.

G. Weapons and explosives

Weapons that are used in public performances, cinematographic filming, video recording, and similar activities should be incapable of actually firing. In those performances, films, or recordings in which functioning weapons must be used, they must be modified to fire only blanks and must be duly documented and authorized by the corresponding authority.

It is highly recommended that a single, well-qualified person be appointed weapons master to maintain and handle firearms.

- Recommendations for working with firearms include the following:
- The weapons master or other person responsible for weapons should be qualified to handle firearms and should consult an expert if unfamiliar with the type of weapon to be used. This professional will not approve a firearm without first determining that the person who will use it is very familiar with its use.
- All firearms should be held in safekeeping by the weapons master or person responsible for weapons.
- Never point a firearm at anyone, including yourself; if it must be pointed at someone as part of the sequence, the weapons master or person responsible for firearms must be consulted. Never joke around with a firearm or any other weapon.
- No one should be obligated, coerced, or forced to handle a firearm. All those handling firearms must be familiar with their features, safety requirements, and precautions.
- Any weapon, including any firearm, must be checked before each use. All weapons and/or firearms should be cleaned, checked, and classified at the end of each day of filming.
- Loading of firearms should be carried out by the weapons master or a qualified person under his/her direct supervision and control. Loading will only take place moments before the firearm will be used in the sequence.
- Manual loading or any other alteration of the ammunition must only be carried out by qualified team members with the necessary accreditation.

- All firearms must be unloaded upon completion of filming a sequence.
- A firearm must not be used, stored, or disposed of in a place where dirt could clog the barrel or important parts of the weapon could be damaged.
- No effort shall be made to adjust, modify or repair a firearm. This task is the responsibility of the manufacturer. When a weapon is blocked, stuck, or malfunctions, it must only be fixed by a team qualified in the use of firearms.
- The weapons master or person responsible for firearms will determine the type of ammunition to be used, in accordance with the requirements of the film and inform the director and all cast and crew.
- Any member of the camera crew in close range must use shields or other safety implements. Protective shields must also be used by all cast and crew members nearby when a firearm is discharged.
- The weapons master or person responsible for weapons shall strictly control all work with weapons. This includes sign in/sign out sheets, manufacturer's warnings, expiration dates, storage, and all use of ammunition.
 - Safety recommendations for filming with explosives include the following:
- The entire production and film crew must be informed when working on any set with explosives, combustible or flammable liquids, gases, or chemicals, and the work order must indicate the type of explosive is to be used.

- Before filming an explosion or other hazardous sequence, all those involved must meet with the supervisor and special effects team in the location where the explosives are to be used. The special effects team shall provide an escape plan for exiting the building, structure, or workplace.
- Only the necessary cast and crew should be within the explosion zone. Each person must personally confirm that his or her escape route is accessible, and where any doubt or uncertainty exists, must check with the first assistant director.
- In the event that a change is needed before filming begins, the director will once again call a meeting with the entire team involved to ensure that everyone is aware of the changes.
- No smoking or fires are permitted in the explosion zone and NO SMOKING/NO FUMAR signs must be posted in all zones and locations where explosives are stored, handled, or used.
 - The Chilean law applicable to the above is:
- Law No 17.798, on Weapons Control.



FREQUENTLY
ASKED QUESTIONS

1. What should I do if I need to film in a public place?

The use of public spaces in Chile is regulated by the standards of the entities to which they belong, and therefore, you should request authorization from the corresponding entity.

2. What should I do if I need to film in a private place?

Private spaces are administered by their owners or concession holders. In the case of a public space under concession, you should request authorization from the corresponding administration.

3. Who should I ask for authorization to film in the street?

Permits for filming in the streets, sidewalks, public walkways, etc., are handled by the corresponding municipality, which grants them in accordance with their ordinances while safeguarding the rights of the residents.

4. What entity should I contact to coordinate closing off streets?

Authorization for closing off streets should be requested from the respective intendancy, which will request a feasibility report from the police department (*Carabineros*).

The request must be made at least two business days in advance, although five to seven business days is recommended.

When closing a street would affect the circulation of public transportation, authorization must be requested from the Regional Transportation Office (*Seremi de Transporte*) and the corresponding Public Transportation Association (*Asociación de Transporte Público*). In Santiago, Directory of Metropolitan Public Transportation (Transantiago). It is also necessary to gather a list of signatures from the residents in favor of the filming.

In cases of quiet streets with little traffic, this authorization may be requested first from the respective municipality, which will evaluate whether further steps must be taken with the Intendancy.

When a closure affects a rural road, authorization must be requested from the corresponding municipality and the Regional Office of Public Works.

5. Does a permit to film in a street include authorization for parking vehicles?

Authorization to close the streets allows for the installation of production vehicles because the street will be closed to transit. When the authorization is strictly for filming on the sidewalk, the vehicles may only park in established parking spaces or at parking meters.

6. What do I need for aerial shots?

Aerial filming in Chile requires hiring a company specialized in the matter, which will request the corresponding permits from the General Civil Aeronautical Directorate (*DGAC*, *Dirección General de Aeronáutica Civil*).

Flight over places where flyovers are not permitted requires special authorization from the DGAC, the entity that determines the viability of the request and that will refer you to the corresponding organism if necessary.

8. Where do I request authorization to use the quadrant around the La Moneda Palace?

The authorization must be requested from the Governmental Palace Administrative Office.

9. How do I request permits to film in one or more protected nature areas?

Permits for protected areas must be requested from the corresponding regional CONAF office. To film in two or more areas, the request must be made to the National CONAF Office.

- 10. We are a foreign production company interested in undertaking a project in Chile. What permits do we need? How do we request them?
 - Film projects in Chile require the following permits, depending on the type of project and the nationality of the worker:
- Reports, documentaries, and interviews require a foreign correspondent accreditation from the General Secretariat of the Presidency.
- Fictional and advertising productions require working permits for participating foreign personnel and are requested from the Department of Foreign Citizens and Immigration (Extranjería).
- Chilean technicians must have a contract that includes social benefits (health and retirement), which must be handled through a national company with a national tax ID (RUT) and be incorporated into the Chilean tax system (*inicio de actividades*).
- You must obtain the respective authorizations to film in public or private places. Permits for filming in public places, such as streets, local parks and plazas may be requested from the corresponding municipality. Filming in national parks or on highways, bridges, or other governmental infrastructure requires permits from ministries or other governmental departments.
- 11. We are a Chilean company and want to hire a foreign technician. What visa is required? And how do we obtain it?

The visa will depend on the length of time and the conditions under which the foreign professional will enter Chile. There are five types of permits and visas under which a foreigner can work in Chile:

- ___ Permit to work as a tourist.
- ___ Visa for artists who come to work for less than 90 days.
- Foreign correspondent in transit.
- ___ Temporary visa
- ___ Visa subject to contract.
- 12. We are a foreign production company conducting a project in South America and would like to enter Chile with our equipment, but we do not have the ATA carnet. What should we do?

The temporary admission of imports allows foreign merchandise to enter the country exempt from import taxes. This admission is granted by the regional director or manager of the office through which the merchandise enters the country and should be clearly identifiable.



INFORMATION OF INTEREST

Institutions

_	Carabineros
	Dial 139 for police information about:
	Telephone numbers and locations of police units.
_	Telephone numbers and locations of courts.
_	Highway conditions.
	Conditions and locations of border crossings.
	Location of streets.
	Bus routes.
	Vehicular restriction.
	Assorted police-related issues.
	The presence of <i>Carabineros de Chile</i> on film sets should be arranged in advance.
	www.carabineros.cl
-	Army To coordinate any activity that involves the army, request information from the Communications Department of the Chilean Army.
	departamento.comunicacional@ejercito.cl
	Av. Blanco Encalada 174, Santiago Centro (+56-2) 2693 4000

Navy

Requests for any activity related to the navy will be individually evaluated by the Communications Department of the Chilean Navy.

Relaciones Públicas de la Capitanía de Puerto de Valparaíso cpvalparaiso@directemar.cl

Air Force

Any activity that requires the support of this institution must be requested through the Public Relations Department, which will review the case individually.

www.fach.cl

(+56 2) 2976 0000

Investigative Police / Detectives (PDI)

The support of this institution must be requested through its Public Relations area.

comunicacionescorporativas@investigaciones.cl

Fire Department

The National Board of Firefighters indicates that the institution's different units are autonomous in their decisions regarding filming in their fire stations or lending services for production needs.

Fire Departments by municipality http://www.bomberos.cl/php/Cuerpos_de_Bomberos.php

Junta Nacional de Cuerpos de Bomberos de Chile Av. Bustamante 86, Providencia, Santiago (+56 - 2) 2816 00 00

Contacts of Interest

Arturo Merino Benítez Airport

Director de Cuentas (+56 2) 29563333 - (+56 2) 29563385 www.massiva.cl

National Stadium

Administrador del Estadio Nacional Instituto Nacional del Deporte Av. Grecia 2001, Ñuñoa (+56 2) 2238 8102

La Moneda Palace

Secretaría de Comunicaciones Ministerio Secretaría General de Gobierno (+56 2) 26904909 www.msgg.gob.cl

Torres del Paine National Park

Conaf Región de Magallanes y la Antártica Chilena <u>Magallanes.oirs@conaf.cl</u> (+56 61) 238 959 <u>www.conaf.cl</u>

Cerro San Cristóbal Metropolitan Park

Dirección del Parque Pío Nono 450, Recoleta (+56 2) 2730 1331

- General Cemetery / Cementerio General
 - Director del Cementerio Av. Profesor Alberto Zañartu 951, Recoleta, Santiago (+56 2) 26377800 - Fax: (+56 2) 27778552 cementerio@cementeriogeneral.cl
- Easter Island / Isla de Pascua
- Conaf Parque Nacional Rapa Nui Oficina Sector Mataveri s/n (+56 32) 210 0236 – Fax (32) 210 0827 consulta.oirs@conaf.cl
- Gobernación de Isla de Pascua Kiri Reva s/n, Isla de Pascua , Chile (+56 32) 2100254 - Fax: (+56 32) 2100252
- Atacama Desert

Municipalidad de San Pedro de Atacama contacto@sanpedroatacama.com (+56 55) 569200 – Fax (+56 55) 851041 Gustavo Padre Le Paige 328

Tatio Geysers

Conaf de Antofagasta (+56 55) 2383320, 2383334 antofagasta.oirs@conaf.cl Comunidades Caspana y Toconce

Parque Forestal

Dirección de Ornato Parques y Jardines Ilustre Municipalidad de Santiago (+56 2) 2280 6367 Junta de Vecinos n° 1 Primera Agrupación Parque Forestal Calle Victoria Subercaseaux 191, of. 213, Santiago, Región Metropolitana (+56 2) 2633 5551

Parque Bicentenario

Administración Municipal Ilustre Municipalidad de Vitacura (+56 2) 2240 2542

La Parva Ski Center

Luis Carrera 1263 of. 402, Vitacura, Santiago, Chile Tel: (+56 2) 29642100

Valle Nevado Ski Center

Avenida Vitacura n° 5250, of. 304, Vitacura, Santiago, Chile (+56 2) 2477 70 00 - Fax: (+56 2) 2477 77 34

El Colorado & Farellones Ski Centers

Nevería 4680, Las Condes, Santiago, Chile (+56 2) 88 99 210 ski@elcolorado.cl www.elcolorado.cl

Ciudad Empresarial

Comunications and Public Relations (+56 2) 940 50300

Film-related Insurance

Commercial film production in Chile is often a race against time due to cost issues, and this tends to reduce hazard control and increase the possibility of human and material accidents. Furthermore, it exposes the producer to civil or criminal sanctions derived from said accidents, and on occasion can reduce the project's profitability and/or result in the loss of a client, etc.

Commercial film producers on any audiovisual project should be aware of the risks inherent in the activity and consider them as possible losses of capital because commercial, artistic, advertising, or scientific productions use personnel and materials that are susceptible to injury.

Human risks and insurance

Producers should bear in mind that technicians, actors, extras, and administrative personnel may not have proper insurance coverage, even when the law requires it. Furthermore, existing laws on the matter may be insufficient.

Minimum risks to personnel include:

- Accidental death.
- Partial permanent disability (loss of body parts or functions).
- Total permanent disability (loss of two-thirds of working ability, according to Decree Law No 3.500 that Establishes the New Pension System).
- __ The cost of medical expenses for accidents.

These risks are covered by the Personal Accident Insurance, which covers them in their totality.

- Risks and insurance for filming equipment
 - This is usually associated with damage or theft of owned or rental equipment.
- Risks to third parties during or after production
 - "Third party" refers to any person who is not connected to the production by contract or blood. This type of risk falls under Liability Insurance, which should cover a minimum of:
- General Liability (policy 1.91.0986), verifying that the insurance broker is registered with the Superintendence of Securities and Insurance (SVS).
- Company Liability (additional clause 1.91.094), verifying that the insurance broker is registered with the Superintendence of Securities and Insurance (SVS).
- ___ Cross Liability (when subcontracting, suppliers should also be insured).
- Employer's Liability (covers harm to workers due to lack of or unsupervised use of legally required equipment).
- ___ Other coverage in accordance with contractual requirements.
- Contractual Insurance

Contracts normally include a guarantee clause for the project or job. These guarantees take the form of a bank bond or a policy for the Guarantee of Faithful Compliance of Contract (Completion Guarantee), which is less expensive, does not tie up lines of credit at the bank, and do not appear in the financial systems as a bank commitment.

There are two types of guarantee policy: a Guarantee of Settlement with a Liquidator and the Guarantee of Immediate Settlement, which operates in the same manner as a bank bond.

In synthesis, the types of insurance available in the national market for the audiovisual industry are:

- Personal accident insurance: covers accidental death disability and medical expenses for accidents.
- Liability insurance: covers injury to third parties during filming.
- Completion Guarantee: covers the completion and the proper use of advances and the proper execution of the work.
- Weather day: covers monetary losses incurred due to the impossibility of filming due to inclement weather.
- Film material insurance: covers material losses due to loss, distortion, theft, etc. of filmed images, whether in transit, postproduction and other stages.
- Fire, theft, and vehicular insurance: a Film Package is available to the sector that offers insurance for full-length projects, television films or series, televised programs, commercials, documentaries, and other types of video and filming. It offers coverage subject to the period of pre-production and production in:

Loss of negatives, video tapes, and hard drives.

Loss of accessories, decoration, and costumes.

Loss of cinematographic material.

Extraordinary expenses.

Cast (insured for loss of life, bodily injury, illness, kidnapping, emotional stress due to the death of close relative).

Munici- pality	Department	Contact	Delay	Web	Procedure
Santiago (RM)	Transit Department (in the case of streets and sidewalks) Dpto. deTránsito (en el caso de calles y aceras)	Dirección de Tránsito y Transporte Público Amunátegui 980, piso 3 (+56 2) 28271155	7 business days		- Request authorization in writing, indicating the green areas to be used, the objective of the event, dates, hours, and the estimated number of participants In some cases a letter of support from the corresponding neighborhood association may be required The following documents must be included with the request: . Requester's ID ID of the activity.
	Department of Grounds (in the case of gardens and parks) Dpto. de Jardines	Dirección de Ornato, Parques y Jardines Sto. Domingo 916 piso 8 (+56 2) 27136368	7 business days	www.municipalidaddesantiago.cl	 Request authorization in writing, indicating the green areas to be used, the objective of the event, dates, hours, and the estimated number of participants. In some cases a letter of support from the corresponding neighborhood association may be required. The following documents must be included with the request: Requester's ID. ID of the activity.
	Cultural films	Dirección de Cultura, Plaza de Armas s/n (Hall Central)		M ·	- Support for unknown full-length, short, and documentary films may be requested by film producers, universities, or other cultural organizations. Requirements: . Must be non-commercial Shooting plan to determine permits required of municipalities or other departments.

Munici- pality	Department	Contact	Delay	Web	Procedure
Providencia (RM)	Department of Culture	Gabinete Alcaldía		www.providencia.cl	- Costs vary according to type of project—movie, documentary, TV series, or advertisement Requests are submitted through the Department of Culture.
Vitacura (RM)	Office of Communal Planning (for parks and plazas) Secretaría Comunal de Planificación	Av. Bicentenario 3800 (+56 2) 22402542		www.vitacura.cl	Fees and governing body depend on the site to be used. The Parque Bicentennario is administered through the Municipal office.
	Municipal Administrator	Administración Municipal Av. Bicentenario 3800 (+56 2) 22402228			For the Parque Bicentenario.

Munici- pality	Department	Contact	Delay	Web	Procedure
Las Condes (RM)	Transit Department Department of Inspection and Roads Dirección de Tránsito Dpto. de Inspección y Vialidad	Av. Pdte. Riesco 5296 Interior Parque Araucano (+56 2) 29507817	4 business days for streets 5 business days for parks	www.lascon	- Filming is not permitted in parks and plazas on weekends, nor on Mondays in the case of Parque Araucano. - Does not authorize total or partial closure of streets. - In the El Golf sector, Av. Presidente Riesco, major streets (Av. Apoquindo, Nueva Tajamar, Cristóbal Colón, etc.) and high-traffic areas are only authorized on weekends beginning at 10:00 a.m. with prior approval from the Municipal Administrator - Authorization does not consider parking for production vehicles. - Submit documentation to personally request authorization in the Department of Inspection and Roads.

Munici- pality	Department	Contact	Delay	Web	Procedure
Ñuñoa (RM)	Municipal Administrator	Administración Municipal Avda. Irarrázaval 3550, piso 4 (+56 2) 22533025		www.nunoa.cl	The request for authorization must be handled through the Municipality and include: . Date and time Place of activity Number of participants Number of public Elements to be used (vehicles, lights, sound equipment, etc.) . Person responsible for the activity (full name, profession or occupation, domicile, municipality, national ID, landline and mobile telephone, and email) Plot Specific scene to be filmed -The request should be sent to Municipal Income to determine the rights to be paid for filming in the municipality. Once authorization has been granted and the rights paid, the corresponding Municipal Decree will be delivered.
Huechuraba (RM)	Mayor's Office Alcaldía	Recoleta 5680 (+562) 27197000		ww.huechuraba.cl	Direct request to the Mayor's Secretary.

Munici- pality	Department	Contact	Delay	Web	Procedure
San José de Maipo (RM)	Mayor's Office in coordination with the Public Relations Department Alcaldía, en Coordinación con el Dpto. de Relaciones Públicas	alcaldiasjm@ gmail.com relacionespublicas@ sanjosedemaipo.cl (+56 2) 26784900	5 business days	www.sanjosedemaipo.cl	-To request authorization, indicate: . Specific location Day and hours If it involves a place that is difficult to access, the request should include the corresponding maps.
Viña del Mar (Valparaíso Region)	Department of Cinematography of the Municipality of Viña del Mar Dpto. de Cinematografía Municipalidad de Viña del Mar	Arlegui 646, Galería Somar, Of. 40 (+56-32) 22185000		www.vinadelmarchile.cl	Requests processed directly with the responsible party
Comuna de San Pedro de Atacama	Mayor's Office Alcaldía	alcaldiaspa@ gmail.com Gustavo Padre Le Paige 328 (56-55) 2569200 Fax (56-55) 2851041		www.muncipiosan pedrodeatacama.cl	Requests processed directly with Mayor's office.

