

AURA OI Visas: Information, Policies, & Procedures

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Introduction: What is “OI”

“Organización Internacional”

OI stands for “Organización Internacional”. This is the status that the Chilean government gives to certain international government-related organizations operating in Chile. The prototype organization is the United Nations’ Economic Commission for Latin America, or CEPAL (Comisión Económica para América Latina) in Spanish.

A bit of history

When the U.S. national observatory began pursuing an interest in establishing an optical observatory in Chile, AURA established itself as a legal entity in Chile. AURA was the first to bring a large-scale international observatory to Chile. Chilean law gave the responsibility of hosting the international observatories to the University of Chile, and provided that these international observatories could operate in Chile enjoying some of the privileges bestowed upon CEPAL. Later the law was changed such that AURA and other international observatories hosted by the University of Chile received the same privileges as the European Southern Observatory (that has a treaty directly with the Chilean government, and doesn’t rely upon the role of University of Chile as host), and that ESO receives the same privileges as CEPAL.

Caring for our OI status

We are special guests in Chile. As such, AURA, and all employee OI holders, benefit from numerous legal, juridical, economic, and diplomatic immunities, including the right to work and exemption from all local income taxes.

However, AURA and its employees can lose this special status. Unlike ESO, whose immunities are granted by virtue of a BI-LATERAL treaty, AURA’s privileges are derived from Chilean legislation, which can be amended or repealed by the Congress. Because of this critical difference, AURA is careful to adhere to long-standing expatriate accreditation protocols and guidelines.

Upon Arrival: Getting your OI visa

How to get one

New AURA expatriate staff initially come into Chile on a standard Chilean tourist visa. For US citizens, this is as simple as filling out the form provided on the airplane coming to Chile. Citizens of other countries should check the Chilean embassy web

pages and their Program's HR department to see if there any additional requirements for their country.

Once you arrive, you should immediately contact your Program's HR representative to arrange for the visa processing. This process must be started within 10 days of your arrival.

Checklist of necessary information:

- Passport(s)
- Curriculum Vitae in Spanish
- Two 4 by 4 cm recent photographs in color with solid blue background
- Other Applicable Spousal and Dependent Documents

The Program's HR representative will give the paperwork to AURA Observatory (Edilia Cerda), who will process and send it to AURA-O's Santiago office. AURA-O staff there will take it to the Ministry of Foreign Affairs, where the visa will be issued. Once processed, you will have a visa in your passport and will receive a blue identification card (known as a "carnet" in Chile). That card will have your ID number, or RUT, which is the key identification number you will need for many uses while living in Chile, from opening a bank account to purchases with a credit card.

The process of getting the OI visa, from the time the paperwork is turned in to Edilia until the return of your passport is approximately 3 to 4 weeks. We therefore encourage you to plan accordingly, and make no plans to travel internationally during this period.

Who must get one

AURA Employees

All non-Chilean citizens working for AURA in Chile must apply for an OI visa. There are no exceptions to this requirement.

Spouses

All non-Chilean spouses of AURA employees must apply for an OI visa. However, exceptions may be possible if the appropriate Chilean authorities determine that the spouse does not require a visa for residence in Chile. *AURA will require the spouse to provide the necessary documentation in such cases.* If residency is approved on this basis, the spouse would not benefit from the normal privileges and immunities granted with OI status.

Children

AURA will seek the accreditation of all unmarried non-Chilean children up to the age of 21 and unmarried non-Chilean children up to the age of 25 who are undertaking full-time studies at a Chilean educational institution.

Birth of Children

Regardless of the parents' citizenship, ALL children born in Chile are automatically eligible for Chilean citizenship. It is the responsibility of the parents to register the newborn in the Chilean system. Children born in Chile therefore cannot generally apply for or gain an OI visa through AURA.

Where one or both parents are non-Chilean, the parents can choose to register the child with their respective Embassy, and obtain citizenship from the country of parental citizenship. The child would then have dual or multiple citizenship, and depending on the laws of the country of origin, could keep or abandon his or her Chilean citizenship at age 18. Parents should consult with their respective Embassies as the rules governing dual citizenship vary substantially from country to country.

OI Visa Benefits

Privileges and Immunities

The following are some of the most important privileges and immunities granted to AURA accredited employees.

- Exemption from any form of direct taxation on salaries and allowances paid by AURA.
- Exemption, together with employee spouses and dependents, from immigration restrictions and alien registration
- LIMITED immunity from personal arrest or detention
- LIMITED immunity from seizure of personal and official baggage
- Freedom to maintain foreign security accounts while on official duty in Chile.
- The right to import, free of customs duties and other prohibitions, furniture and personal effects, including one new motor vehicle.(used vehicles are not allowed) during the first year of taking up AURA duties in Chile. Details on these specific benefits, including any dollar limitations, should be discussed with your Program's HR representative, and Edilia Cerda.

Limited Immunity

These major privileges and immunities are granted to AURA under provisions of Chilean law. They are intended to protect and enable AURA employees while on official business. They are NOT intended for the personal benefit of employees. As such, the AURA Head of Mission can waive the immunity of any employee that may misuse these privileges.

It is important that all employees holding an OI visa recognize that AURA will at all times co-operate with Chilean authorities in the proper administration of justice and

Chilean law. AURA is here as a guest of the Chilean Government, and is careful to observe and respect all Chilean laws.

Purchasing and Importing Automobiles

AURA expatriate employees are entitled to import or purchase one new motor vehicle within the first year of Chilean residency. The principle advantage is that the buyer pays no VAT tax (19%), and can usually buy the car at a diplomatic discount. The disadvantages are primarily incurred when the employee wants to sell the car – as the buyer will have to pay some part of the taxes foregone when originally purchased. Another option is to purchase a vehicle locally, and NOT make use of the OI importation benefit—rather paying initially the taxes at the time of purchase. While more expensive, this approach will generally ensure less paperwork and a quicker sale of the vehicle upon leaving Chile. However, because there important details regarding the above options, it is important to discuss the variations and requirements and procedures necessary to import, own and/or purchase a vehicle in Chile with Hernán Bustos.

AURA also has an automobile rental fleet that is available for both short and long term leases at reasonable rates. The fleet is often fully booked, however, and if interested in this option, the employee should see Camila Ibarlucea upon arrival in Chile. One “rule of thumb” in “renting from AURA vs. purchasing a car”, is how long a stay is contemplated with AURA in Chile. Generally, if the employee knows that he or she will be in Chile for less than 2 years, it may be advantageous to rent from AURA. Again, though, this is personal decision, and can be discussed with coworkers who have had experience with all the options.

OI License Plates

As a holder of an OI visa, AURA employees currently have the right to request a maximum of one blue OI license plates for personal vehicles. Details on “first time” and renewal procedures for obtaining OI plates should be discussed with Edilia Cerda. It is the employee’s responsibility to note when a renewal is required and provide the necessary documentation to Edilia upon request. The advantage of registering a car with OI plates is that one does not have to pay the annual vehicle tax (“permiso de circulación”). On the other hand, the Ministry of Foreign Affairs requests that those who have OI plates also show they have liability insurance.

OI Visa Limitations

Spouse work limitations

Spouses that hold an OI visa cannot work in Chile. The exception is employment with OI institutions, such as AURA, ESO, Carnegie, an Embassy, or a UN organization.

Volunteering, however, is perfectly OK, and is encouraged.

Under some circumstances, however, it may be possible for a spouse to “give up” their OI status and legally work in Chile. This option is very infrequently used, and details on what the process entails (and the potential negative ramifications) should be discussed with the AURA Head of Mission.

Participation in Chilean political activities

AURA expatriate employees or their spouses or dependents may NOT engage in ANY political activity, including rallies, protests, or other gatherings.

Also, expatriate employees may lend NO support (written, verbal or financial) to any political party or candidate, or participate in elections or campaigns in any way.

Maintaining your OI Visa

Renewal Process

At two year intervals, AURA employees must renew their OI visa. It is important to allow for **at least** 3 weeks between giving Edilia Cerda your passport and having all the necessary documentation returned. This means that employees must plan carefully to ensure that no foreign travel is scheduled during the time the passport(s) are being processed in Santiago.

OI and Passport Renewal Responsibilities

In the case of OI visas and passports, the responsibility for the timely providing all of the necessary documents for processing by the Ministry rests with the AURA employee.

However, AURA will normally send expatriate employees a reminder approximately 2 months before documents are required for OI renewals. It is critical that this reminder is acknowledged, and that the expatriate employee works with AURA to plan the on-time submission of all necessary passports and other documents. Documents not received by the Ministry in sufficient time to permit renewal of the OI visa can result in a substantial fine to the visa holder.

AURA will also endeavor to send a reminder to employees when their passports are within 3 months of expiration. Passport renewal is the responsibility of the employee. OI renewals cannot be processed without a passport that is current for the full period of the OI visa renewal.

Canceling the OI Visa

Leaving Chile

When an AURA employee is preparing to leave Chile (and the AURA payroll), the following document timescale must be followed:

Not less than 5 weeks before a departure date, the passport is given to Edilia Cerda, who forwards it to Santiago for processing by the Ministry. The Ministry requires that the passport be handed over at least one month prior to the departure date. The OI visa will be “annulled” and replaced with a standard visa with a specific end date.

Not less than 10 days before the departure date, the employee’s ID card (“carnet”) must also be surrendered for cancellation by the Ministry. Before surrendering the ID card, it is critical that the employee close all local bank accounts and/or sell any automobiles or other property purchased in Chile. After the ID card is annulled, the employee cannot complete any legal transaction in Chile.

Retiring

The process for leaving the AURA payroll and “retiring” in Chile is essentially the same as above—except that when the passport is submitted for processing (and cancellation of the OI visa), AURA will inform the Ministry that the employee intends to seek a permanent resident visa and continue to live in Chile. The ensuing process for obtaining a permanent resident visa is essentially a private function that does not involve AURA. However, the AURA staff would be available to discuss this option and some of the necessary requirements for seeking such a visa.

Summary

In summary, OI status is special. It has both benefits and limitations. Generally, though the benefits far outweigh any limitations, and it is AURA policy that every effort is made to ensure that this special status is retained for current and future employees.