



Legal Alert: Procedure to approve a New Constitution in Chile

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On December 2019 Chilean Congress approved Law 21,200 (the "Law") stating a procedure aimed to elaborate a new Constitution which would replace the current Constitution. Pursuant to such procedure, Chileans shall vote on April 26, 2020 either approving or rejecting the possibility of having a new Constitution. In such a referendum, Chileans shall also vote as to the type of assembly that would be responsible for the drafting of the new Constitution if the approval option won: a convention exclusively formed by citizens elected by the people or a convention formed half, by citizens elected and the other half also by certain members of the Congress (the "Convention").

If the option for the approval of a new Constitution wins, then Chileans shall elect the members of the Convention on October 25, 2020. Any matter to be discussed by the Convention shall require a 2/3 quorum of the Convention's members for approval.

The Convention shall have a maximum term of nine months (renewable once for additional three months) to propose the new Constitution text. The proposed text must respect the nature of the Republic of Chile, its democratic regime, the rule of law and international treaties ratified by Chile.

Within 60 days from the delivery of the proposed text by the Convention, Chilean people shall vote either approving or rejecting it. If the people approve the new Constitution it shall be in effect once duly promulgated according to the Law. If the people reject it, the current Constitution shall continue in full force and effect.

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