

COUNTRY · MERCOSUR ASSOCIATE

Chile: What EU customers expect

Chile has the cybersecurity law that comes closest to NIS2 in the region, and a new data protection law scheduled to take effect on December 1, 2026. Since February 2025, Chile and the EU have been linked by a modernized trade agreement.

DATA PROTECTION	EU ADEQUACY	AGREEMENT WITH THE EU	CYBERSECURITY
Ley 21.719, in force from Dec 1, 2026	no	Interim Trade Agreement since Feb 1, 2025	Ley 21.663, Marco de Ciberseguridad

Overview: trade with the EU

According to the European Commission, EU imports from Chile in 2025 were 40% vegetable products, 20% mineral products and 20% base metals. Behind those figures are fruit and wine from the Central Valley, copper from Antofagasta and lithium from the Atacama. Copper, by the way, is not covered by [CBAM](#). Steel, aluminum and fertilizers are.

Santiago is also an important base for IT service providers, data centers and fintechs that serve customers in Spain and other EU countries.

Data protection: Ley 21.719 compared with the GDPR

Ley 21.719 is a thorough overhaul of the old data protection law, Ley 19.628. It was published in the Diario Oficial on December 13, 2024 and takes effect on December 1, 2026. The law adopts many elements of the [GDPR](#): legal bases, expanded data subject rights including data portability, obligations for processors, rules for transfers abroad and a duty to report security breaches. What is new is a dedicated supervisory authority, the Agencia de Protección de Datos Personales, with the power to impose fines.

Possible delay: On August 31, 2026, the government introduced bill Boletín 18.623-07. It would push the effective date back to December 1, 2027 and enlarge the agency's board. As of October 11, 2026 it has not been passed, so December 1, 2026 still applies.

Chile does not have an EU adequacy decision. Your EU customers need standard contractual clauses and a transfer impact assessment for transfers to Chile.

Cybersecurity compared with NIS2

Ley 21.663, the Ley Marco de Ciberseguridad, was published in April 2024. The national cybersecurity agency ANCI has been operating since January 1, 2025, and the remaining provisions have applied since March 1, 2025. Like [NIS2](#), the law distinguishes two groups: providers of essential services and operators of vital importance (Operadores de Importancia Vital, OIV). Both must report incidents with significant impact to the CSIRT Nacional. OIV also have obligations covering management systems, contingency plans and audits.

On deadlines, Chile is stricter than the EU. The early warning must arrive within three hours, while NIS2 allows 24 hours. The details are set out in the Reglamento de Reporte de Incidentes (Decreto 295/2024).

In the financial sector, the requirements of the Financial Market Commission (CMF) on information security, cybersecurity and the reporting of operational incidents also apply. If you supply European banks or insurers, you will additionally get clauses based on [DORA](#).

Reporting deadlines compared

TRIGGER	CHILE	EU
Early warning, cyber incident	3 hours from awareness (Ley 21.663)	24 hours (Art. 23 NIS2)
Update	72 hours; OIV with an affected essential service 24 hours	72 hours
Final report	15 calendar days from the early warning	one month
OIV action plan	no more than 7 calendar days	no equivalent
Data breach to the authority	reporting duty under Ley 21.719 once in force	72 hours (Art. 33 GDPR)

If you meet the Chilean deadlines, you also meet those of NIS2. A reporting process built for three hours does not need a second version for EU customers.

Authorities, CSIRT, accreditation body

AREA	BODY
Data protection	Agencia de Protección de Datos Personales (new under Ley 21.719)

AREA	BODY
Cybersecurity	ANCI, Agencia Nacional de Ciberseguridad
CSIRT	CSIRT Nacional at ANCI
Financial sector	CMF, Comisión para el Mercado Financiero
Accreditation	INN, Instituto Nacional de Normalización

For certificates, where the certification body is located matters less than who accredited it. Before you sign the contract, ask whether the accreditation by INN or a foreign body falls under the international recognition arrangement of the Global ACI (since January 1, 2026 the successor to IAF and ILAC; existing accreditations remain recognized). If it does, EU customers will usually accept the certificate. Some large groups still insist on a specific certifier. Settle that before you spend money on an audit.

What EU customers typically require

Fruit and wine exporters get questions about food safety, usually answered with certificates under [IFS](#), [BRCGS](#) or [FSSC 22000](#) or GLOBALG.A.P. Wood and pulp fall under the [EUDR](#). Chile is classified there as a low-risk country, so due diligence is simplified, though you still have to do it. Mining companies face questions on the environment, human rights and emissions, often with reference to [ISO 14001](#).

IT service providers and data centers are asked about [ISO 27001](#). Policies, risks and evidence for such a management system can be kept in [Sightadel](#), which is developed and hosted in Germany. If you already fall under Ley 21.663 as an OIV or a provider of essential services, you have built a reporting process and a management system anyway, and you can present them to EU customers as evidence. Many customers also check your internet-facing systems. With [veyrisk](#) you can keep an eye on that attack surface yourself.

In the contract, these points usually sit in annexes: standard contractual clauses, a data processing agreement, technical and organizational measures, reporting deadlines and audit rights. For the transfer impact assessment, your EU customer will ask about storage locations, access and encryption. With Ley 21.719 and a dedicated data protection authority, you will soon be able to point to a legal framework that is closer to the European one.

A sensible starting point for Chilean companies:

1. Check whether you fall under Ley 21.663, either as a provider of essential services or as an OIV.

2. Prepare for Ley 21.719 as if December 1, 2026 were certain. Whatever you do for it, your EU customers expect anyway.
3. Combine the reporting processes for ANCI, the new data protection agency and your EU customers into a single workflow.
4. For wood, pulp and other EUDR goods, work through the simplified due diligence with your buyer.
5. For steel, aluminum and fertilizers, find out which emissions data your importer needs for CBAM.

The free [EU Readiness Check](#) gives you a quick overview.

Agreement with the EU

Chile is associated with Mercosur but is not part of the EU-Mercosur agreement. It has its own set of treaties with the EU: the Advanced Framework Agreement and the Interim Trade Agreement, both signed on December 13, 2023. The Interim Trade Agreement has been in force since February 1, 2025 and replaces the trade part of the 2002 Association Agreement. Among other things, it contains chapters on energy and raw materials and on sustainable development. To claim the tariff preference, you need a statement on origin.

In practice, this means you should look up the tariff rate and the rule of origin for each product in the European Commission's Access2Markets portal, searchable by HS code. Most trade between Chile and the EU is duty-free. For processed goods, the rule of origin decides whether enough value was added in Chile. For lithium and copper, the agreement has its own rules on raw materials and energy. Your importer in the EU can help you issue the statement on origin correctly. Keep the supporting documents for several years, because customs can check after the fact.

Even with the agreement, the EUDR, CBAM and GDPR apply unchanged to Chilean goods and services.

FAQ

When does Chile's new data protection law take effect?

Ley 21.719 takes effect on December 1, 2026. Bill Boletín 18.623-07 would push this back to December 1, 2027, but it has not been passed yet (as of October 11, 2026).

How quickly must a cyber incident be reported in Chile?

Early warning to the CSIRT Nacional within 3 hours, an update within 72 hours (24 hours for OIV) and a final report within 15 days of the early warning.

Do EU customers need standard contractual clauses for Chile?

Yes. Chile does not have an EU adequacy decision.

Is Chilean copper covered by CBAM?

No. Copper is not one of the CBAM goods. More on the [CBAM](#) page.

Which tool helps with an EU customer's security questionnaire?

Many questions ask for policies, risk assessments and evidence from an ISO 27001 or NIS2 management system. [Sightadel](#) keeps these in one place and reuses them across customers. Questions about your internet-facing systems can be answered with a report from [veyrisk](#), which checks open services, certificates and known vulnerabilities from the outside.

Sources · Last updated: October 11, 2026

Ley 21.663, Ley Chile (BCN): <https://www.bcn.cl/leychile/navegar?idNorma=1202434>

ANCI: Plazos para reportar: <https://soporte.anci.gob.cl/hc/anci/articles/1740428298-plazos-para-reportar>

ANCI, Agencia Nacional de Ciberseguridad: <https://anci.gob.cl/>

Senado de Chile (Boletín 18.623-07): <https://www.senado.cl/>

European Commission, DG Trade: Chile: https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/chile_en

European Commission: Adequacy decisions: https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en

General information, not legal advice. The official texts are authoritative.

PUT IT INTO PRACTICE WITH TOOLS MADE IN GERMANY



Sightadel walks your team through NIS2: templates, tasks, evidence and audit preparation in one place. Built and hosted in Germany, with an optional consultant package.

[See Sightadel →](#)



veyrisk shows what attackers can see of your company from the outside: open services, certificates, known vulnerabilities. You can hand the report to EU customers and auditors.

[See veyrisk →](#)



Valar is a hardware firewall running neonotu software. It protects offices and sites and produces the logs NIS2 and ISO 27001 ask for.

[See Valar →](#)

Sightadel, veyrisk and Valar are products of neonotu GmbH, which operates MercoEU.

Which of these apply to your company?

The free EU Readiness Check shows you by industry and country in 10 minutes.

<https://www.mercoeu.com/en/eu-readiness-check>