



# Travel authorizations for children and Family relocation

## Chile

Javiera Verdugo Toro  
Ministry of Foreign Affairs

Chile

[jverdugot@minrel.gob.cl](mailto:jverdugot@minrel.gob.cl)



# Travel authorization

- Art. 49 Law N°16.618 (1967)
- Authorization must be granted in writing:
  1. Both parents
  2. Whomever was granted custody of the child, by a court of law
  3. Parent who has visitation, established by a court of law
  4. Judge



# Travel authorization

- Art. 49 Law N°16.618

“In the case of minors who are children of official foreign residents, the permit or authorization referred to in this article may also be granted by the Consul of the country of nationality of the father or mother, or of both parents, who request it, as appropriate. This permit or authorization must indicate the destination or destinations of the minor, and a copy must also be sent, by the most expeditious means, to the Ministry of Foreign Affairs of Chile”



# Travel authorization, granted by a judge

- “must take into consideration the benefit that [travel] may bring and will indicate the period of time for which authorization is granted”
- “In the decision, the judge may decree that the authorization referred to in the sixth paragraph of the previous article enables the parent who has requested it and who has the minor in his or her care to leave the country with him or her on different occasions within the following two years, provided that it is proven that the other parent has unjustifiably failed to fulfill the duty, regulated by court or agreement, of maintaining a direct and regular relationship with his or her child. The period during which the minor will remain abroad may not exceed fifteen days on each occasion”.



## Travel authorization, granted by a judge

“If the person paying child support does not give his or her authorization, and said person is listed in the Registry of Child Support Debtors, the judge may, as a subsidiary measure, grant such permission without considering the reasons for the refusal. **This cannot be applied if the trip abroad is for the purpose of establishing permanent residence**”.



# Travel authorization

Art. 49 Law N°16.168, paragraph 7:

“Once the period referred to in the previous paragraph has expired without the minor, unjustifiably, returning to the country, the judge may order the suspension of any child support that has been ordered.”.