



PROCEDURE

RESOLUTION OF INFRINGEMENT COMPLAINTS

Objective	Resolve the complaints for infringement of legal and mandatory regulations pertinent to the Agricultural and Livestock Service, in accordance with the procedure established in Paragraph IV of Heading I of SAG's Organic Act 18.755
Scope	To the activities focused on complaint resolution, including Sectorial Offices, Regional Administrations, Legal Division and SAG's National Direction; this document does not apply to processes carried out at border controls.
Performance Indicator	The average working days for the processing of the causes in the Region since the date of the Complaint and Summons Record (CSR) or complaint from other relevant authority originating the cause, to the rendering of the resolution by the Regional Director in charge of resolving the cause.



PROCEDURE

RESOLUTION OF INFRINGEMENT COMPLAINTS

<pre> graph TD II[II] --> LD[Legal Division] LD --> IA{Is it accepted?} IA -- No --> RA[Requires adjustments or additional information] RA --> A[A] IA -- Yes --> ERP[Elaborates resolution's proposal and sends to the Regional Director] ERP --> ERP_Box[Exempt Resolution Proposal] ERP_Box --> CF[Cause file] ERP_Box --> RD[Resolved by the National Director] RD -- No --> RA RD -- Yes --> IR[Issuing of the cause resolution] IR --> SA{Sanctions or absolves?} SA -- Sanctions --> III[III] SA -- Absolves --> NP[Notification to the denounced party or the representative] NP --> NP_Box[Notification] NP_Box --> FA[The file is archived] FA --> End[End] </pre>	<p>Regional Lawyer</p> <p>Regional Lawyer</p> <p>Regional Lawyer</p> <p>Regional Director</p> <p>Regional Director</p> <p>SAG Official</p> <p>Regional Lawyer/SA G Official</p>	<p>Not applicable</p>	<p>The Regional Lawyer reviews the precedents of the cause, and if in agreement with the Assistant Lawyer's proposal, he elaborates the corresponding Exempt Resolution and forwards these to the Regional Director to resolve. Otherwise, the Regional Lawyer asks the cause's Assistant Lawyer to make adjustments to the report, the carrying out of new proceedings, or the addition of more information to the file.</p> <p>Once the Regional Lawyer is in conformity with the work executed by the Assistant Lawyer, he elaborates the exempt resolution proposal and sends it to the Regional Director for his consideration and resolution.</p> <p>If deemed necessary, the Regional Lawyer may return the records to the Official conducting the process for him to make adjustments to the report, add more information to the file, or carry out new proceedings as deemed necessary to solve the matter subjected to his decision.</p> <p>Once the Regional Director is in conformity with the proposal issued by the Assistant Lawyer, he resolves the cause or declares himself incompetent by issuing the corresponding resolution, which is attached to the corresponding file. For those cases declared as incompetent for SAG, he must send the records to the respective authority.</p> <p>Every resolution solving an infringement notice must be notified by any of the following:</p> <ul style="list-style-type: none"> - Personal notice: it refers to the notice told directly to the denounced by a Service official. - Via "cédula" notice: a full copy of the Regional Director's resolution is given at the denounced person's address and a record is kept of this event. - Every notice is attached to the corresponding file and this step is registered in the software. - In case of notices to persons whose registered address is in another region the Exempt Resolution must be sent to the corresponding Regional Director for him to manage the notice. - In case of notices to persons with an ignored international address, notices must be made via certified mail. - In case of notices to persons with an ignored address, Chilean or foreign, or due to a returned notice via certified mail, the notification must be made in the Official Journal (Act 19.880) <p>If the resolution of the Regional Director is of absolution it is notified and the file is kept in custody at the Regional Legal Unit.</p>
--	---	---	---

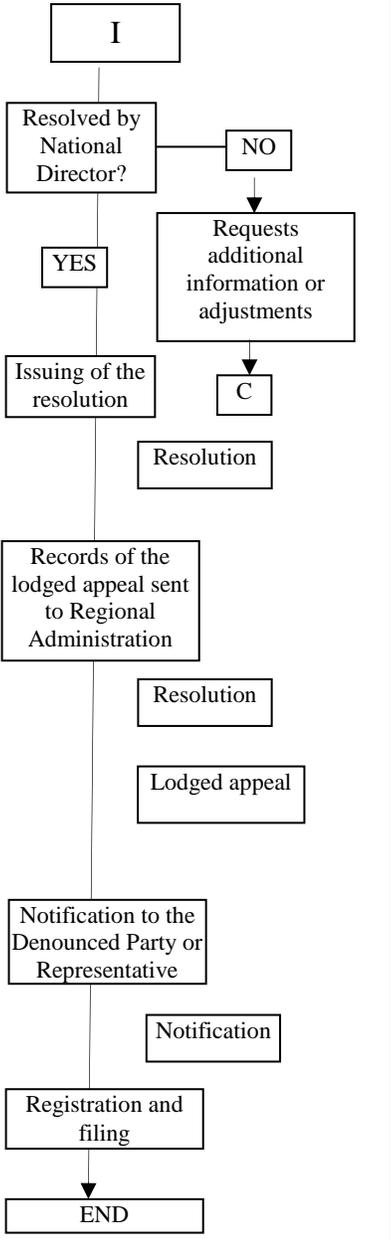


PROCEDURE

RESOLUTION OF INFRINGEMENT COMPLAINTS

Flow chart	Responsibilities	Deadlines	Considerations
<pre> graph TD IV[IV] --> Q1{Resolved by the National Director?} Q1 -- No --> B[Requires adjustments or additional information] B --> B2[B] B2 --> R1[Resolution] Q1 -- Yes --> IR[Issuing of the cause resolution] IR --> RA[Review appeal request is sent to the Regional Administration] RA --> R2[Resolution] RA --> R3[Resolution Cause file] RA --> N1[Notification to the denounced party or his representative] N1 --> N2[Notification] N2 --> A[The file is archived] A --> Q2{Is the complaint appeal notification accepted?} Q2 -- No --> End[End] Q2 -- Yes --> End </pre>	<p>National Director</p> <p>National Director</p> <p>Legal Division</p> <p>SAG Official</p> <p>SAG's Regional Legal Unit</p> <p>SAG's Regional Legal Unit</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>	<p>The National Director:</p> <ul style="list-style-type: none"> - Studies the Legal Division's proposal and in case it is deemed necessary he may return the records and request new information or necessary adjustments to the proposal so as to resolve the matter under his decision. - Resolves by issuing the respective Resolution, which is added to the file in conjunction with the appeal presented by the infractor. In the Resolution, the National Director can also confirm the sanctions imposed by the Regional Director, modify them, render them invalid, or impose different ones. <p>The Resolution resolved by the review appeal sets forth the infractor's right to lodge an appeal with a Civil Court Judge at the corresponding SAG's Regional Administration in whose jurisdiction the infraction was committed. The due date to lodge this appeal is 30 working days since the notice of National Director's resolution.</p> <p>Once the review appeal is resolved, he must return the complete file to the corresponding Regional Administration.</p> <p>The Regional Administration must notify the National Director's resolution to the denounced party following the same aforementioned considerations.</p> <p>The Regional Legal unit registers the acceptance of the review appeal, its resolution and notification and the file is kept in custody.</p> <p>In case of not accepting the court's notification of the complaint appeal lodged by the denounced party, and if 30 working days have passed since the notice, <u>the National Director's resolution will be deemed as final</u>. In such case and if the sanction imposed a fine, the latter must be paid by the infractor at SAG's office within 10 working days since the final resolution and a payment agreement can be reached with the Regional Director. If the payment of the imposed fine is not received and 20 working days have passed since the due date, the Form N° 52 "Fine from the Agricultural and Livestock Service-SAG" will be completed in accordance with the SAG-General Treasury of the Republic complementary work agreement.</p>

RESOLUTION OF INFRINGEMENT COMPLAINTS

PRECAUTIONARY MEASURES			
Flow chart	Responsibilities	Deadlines	Considerations
 <pre> graph TD I[I] --> Q1{Resolved by National Director?} Q1 -- YES --> R1[Issuing of the resolution] Q1 -- NO --> R2[Requests additional information or adjustments] R2 --> C[C] C --> R3[Resolution] R1 --> R4[Records of the lodged appeal sent to Regional Administration] R3 --> R4 R4 --> R5[Resolution] R5 --> R6[Lodged appeal] R6 --> R7[Notification to the Denounced Party or Representative] R7 --> R8[Notification] R8 --> R9[Registration and filing] R9 --> END[END] </pre>	<p>National Director</p> <p>National Director</p> <p>Legal Division</p> <p>SAG Official</p> <p>Regional Legal Unit</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>	<p>The National Director studies the Legal Division's proposal and if deemed necessary, must return the records and request new information or necessary adjustments to the proposal so as to resolve the matter subjected to his decision.</p> <p>The National Director resolves by issuing the corresponding resolution. No appeal may be lodged against the National Director.</p> <p>Once resolved, the records of the lodged appeal and the corresponding resolution must be sent to the respective Regional Administration to be added to the file and notification.</p> <p>The notification is done in accordance with the aforementioned considerations on the matter.</p> <p>The Regional Legal Unit registers the appeal records and the respective notification, which is added to the corresponding file.</p>