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SERNAC issues an Interpretative Circular on time limits for the exercise of consumer guarantees.

With regard to the health crisis generated by the COVID-19 pandemic, the National Consumer Service (SERNAC), through the Exempt Resolution No. 0340¹, issued an interpretative circular regarding the time limits for enforcing consumer guarantees for the goods and services they purchase.

The SERNAC, in the exercise of its power to interpret the law administratively, has determined that the deadlines for enforcing the guarantees to consumers are suspended for the duration of the state of catastrophe decreed by the government.

The service bases its resolution on the need to protect the health of consumers, since forcing them to leave their homes to exercise the guarantees for the products they acquire during the health emergency means exposing them to contagion. At the same time, considering the quarantines decreed, the restrictions and suggestions made by the authority to limit the movement of people and the closure of several stores, many consumers would be prevented from exercising their rights in a timely manner.

For this reason, the SERNAC has interpreted that, during the duration of the state of constitutional exception², the time limits for exercising the guarantees to which consumers are entitled will be suspended. This includes all types of guarantees, i.e., those granted by law, those offered voluntarily by suppliers and those aimed at ensuring consumer satisfaction.

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¹ https://www.sernac.cl/portal/618/articles-58446_archivo_01.pdf.

² Decreed on March 18 for 90 days.