ENVIRONMENT

CLIENT ALERT

FEBRUARY/2020

ENVIRONMENT – FEDERAL ENVIRONMENTAL AUTHORITIES: CONVERSION OF ENVIRONMENTAL FINES

On January 31, 2020, the Ministry of Environment ("MMA") jointly with Federal Environmental Agency ("IBAMA) and Chico Mendes Institute for the Conservation of Biodiversity ("ICMBio") published Ordinances No. 1, 2 and 3, regulating the federal administrative process related to environmental violations and the procedure for conversion of environmental fines into conservation projects.

The main updates are:

i. **Ordinances No. 1/2020 and 3/2020**: specify the procedures for direct and indirect conversion of environmental fines and provides an additional term of 180 days, starting on January 6, 2020, to file petitions requesting readjustment of conversion of fines filed in accordance former legislation;
ii. **Ordinance No. 2/2020**: regulates administrative processes at the federal level, including powers, preparation of own forms that will be issued as a result of the application of precautionary administrative measures, procedures for the conciliation hearing, among others. The most relevant provision refers to the mandatory description of the behavior of the violator – fault – grounding the administrative environmental liability for the imposition of fines.

The Ordinances are effective as of publication date.

Veirano's environmental team is highly experienced on the subject and is available to provide further clarification.

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