ENVIRONMENT

CLIENT ALERT

JUNE / 2019

ENVIRONMENTAL, SÃO PAULO: ENVIRONMENTAL STATE COMPLIANCE PROGRAM

On June 5, 2019, the São Paulo Court of Justice ("TJSP") published the decision that partially agreed with claims from the Lawsuit to Challenge the Constitutionality of a Law ("ADI") in light of State Law No. 15.684/2015 ("Law") that foresees the Environmental Compliance Program ("PRA") in the São Paulo State.

The decision states that:

- The Law did not breach current legislation, being even more protective than the Forestry Code;
- Some points of the Law must be adequated because they conflict with the Federal and State Constitutions, such as the article that provides that the PRA should include, alternatively or jointly, (i) regeneration; (ii) restoration; and, (iii) compensation;
- The Law does not represent a "step back" in environmental legislation;
- There was no violation of the Union's competence.

Being this case closed and with proper adjustments, implementation of the PRA turns to be feasible.

Veirano's environmental team is highly experienced on the subject and remains available for clarifications.

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