ENVIRONMENT

CLIENT ALERT

JANUARY/2020

ENVIRONMENTAL: PROVISIONAL MEASURE PROHIBITS THE GRANT OF THE ENVIRONMENTAL LICENSE WITHOUT EXPRESS APPROVAL OF THE AUTHORITY IN CASES OF SIGNIFICANT ENVIRONMENTAL IMPACT

On December 30, 2019, Provisional Measure No. 915/2019 ("MP") was published, amending Law No. 13.874/2019 ("Economic Freedom Act") in order to prevent the grant of the environmental license without express approval of the competent authority.

The Economic Freedom Act provides that after the deadline for consideration of the request for grant of economic activity, the silence of the competent authority results in tacit approval, i.e. without express authorization.

The MP amends such Act establishing that this provision does not apply to activities with significant impact on the environment, as defined by the competent environmental agency.

The MP is in force, but to remain effective it must be approved by the Brazilian Congress within 120 days of its publication.

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

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