

Alert: National development plan to produce green hydrogen in State-owned lands



November 29, 2021 / By [Felipe Bahamondez](#), [Diego Peña](#) and [María Jesús Caballero](#).

On November 23rd, 2021, the National Development Plan to Produce Green Hydrogen (“H2V”) on State-owned lands was approved (the “Plan”) through the exempt Resolution N° 998 of the Ministry of National Assets.

The **purpose** of the Plan aims to impulse the use of H2V technology in an initial stage in Chile, through the **opening of a unique window of time** where interested persons in the development of this industry, may apply for direct assignment of onerous use concession (*concesiones de uso oneroso*), over State-own lands to produce energy and, consequentially, H2V.

The Plan considers, among others, the following criteria:

The assignment of State-owned lands to the applicants will be through a **direct onerous concession**, which could be **up to 40 years**. It will be an essential condition to admit the processing and to grant the concession; that the State-owned lands are available and have a planned use that is compatible with the purpose of the Plan.

The onerous concessions are subject to what is established in the norms of acquisition, administration, and disposition of National Assets (Law Decree N°1939 of 1977), to the standards of the Ministerial Orders and Manuals approved by the Ministry of National Assets, which regulate this matter.


The State-owned property assignment will be for projects that, at least, have **20 MW of electrolyzers installed capacity**, which covers the H2V production lands and those derived from it and the necessary easements over State-owned lands. Applications for concessions can also be made for renewable energies generation, when the conditions stated in the Plan are met.

Only the applications of generation projects whose energy is **effectively used to produce H2V** will be admissible. Each company can apply for **only one group of lands**, understanding them as a polygon to produce H2V and/or its derivatives, an electrical transmission tracing and access roads; and, optionally, a polygon for the generation of energy.

Also, the Plan establishes the information that **must be filed at the moment of the deposit of the onerous concession's applications** and the **requirements that must be fulfilled by the State-owned property assignees** in respect to: the admissibility of the project's entry to SEIA, timing for initiating the construction of the works of the H2V's production plant and entrance into operation of the project.

The Ministry of National Assets will establish the **concessional annual rent**, based on the **market values of the assigned property**. The calculation and collection of the rent will be divided into stages: (i) study and construction; and (ii) operation.

Relevant due times to consider:

Highlight	Due time
Announcement and opening of the consultation period	November 23, 2021
Closing of the consultation period	December 17, 2021
Answer to formulated inquires	December 31, 2021
Opening of the application unique reception window	January 3, 2021
Closing of the unique window	January 14, 2022
Analysis of the applications, cadastral validations, analysis of the relevance and solution of problems caused by eventual overlapping	February 25, 2022
Processing of the onerous concession and Decree	July 29, 2022
Execution of the contract	September 2, 2022
Approving Decree for contract	September 30, 2022
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