

## Legal Alert Law 21,455: Framework Law on Climate Change



June 13, 2022 / By [Diego Peña](#), [Roberta Andreani](#) and [Camila Fajardo](#)

On June 13, 2022, came into force Law No. 21,455, Framework Law on Climate Change. Its purpose is to address the challenges posed by climate change, move towards a development low in greenhouse gas emissions and comply with the international commitments assumed by the State of Chile on this matter. Likewise, it seeks to strengthen and ensure continuity to the policies, plans, programs, and actions with a State perspective that transcends current governments, being the first of its kind in Latin America.

### We highlight six relevant aspects of the Law:

**Carbon neutrality goal:** it is set as a goal to achieve neutrality of greenhouse gas emissions by 2050 at the latest. Principles: new principles are recognized: non-regression and progression, ecosystem-based approach, and climate Justice, among others.

**Management instrument on climate change:** it creates management instruments in a national, regional, and local levels; at the same time, a sectoral model. Regarding the latter, it provides for the development of Sectoral Mitigation Plans and Climate Change Sectoral Adaptation Plan, to increase the climate change resilience of sectors such as infrastructure, health, mining, energy, among others. **The Long-term Climate Strategy** is recognized as the main instrument, which will be the basis for the other instruments and plans.

**Greenhouse gas emissions standard and certificates of emission reduction:** the Ministry of Environment (MMA) shall develop standards that establish the maximum amount of greenhouse gas emissions and/or a short-lived climate pollutant that may be emitted by a facility. The Superintendency of Environment (SMA) will supervise compliance with these standards and will sanction violators. In addition, there will be a public registry, in which each establishment must report its emissions at least annually. In order to comply with the emission standards, **Emission Reduction or Absorption Certificates** may be used, obtained through the implementation of projects in Chile approved by the

MMA for this purpose.

**Financial mechanisms and guidelines to address climate change: the Climate Change Financial Strategy** to be prepared by the Ministry of Finance, will contain the main guidelines to lead the public-private contribution towards a low greenhouse gas emissions and climate-resilient economy.

**Environmental Impact Assessment System:** projects or activities submitted to Environmental Impact Assessment shall consider the climate change variable in the relevant environmental components according to the respective regulations to be issued by the MMA and shall describe the way in which they will be related to the management instruments mentioned in point 3. The above as soon as the regulation in question is published.

Notwithstanding the fact that the Law contains a regulatory and institutional framework to be implemented, this is approached from a flexible perspective, considering technological advances and changes and new scientific evidence on climate change that may arise in the future.



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