

**Tozzini
Freire.**
ADVOGADOS

GERMAN DESK
Newsletter
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Was ist Los ?
in Brasilien ?

2023
BEGINNT



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Energy.

New auctions keep attracting investments and promoting the expansion of the Brazilian energy sector

New Schedule for Upcoming Energy Auctions for the Next Three Years

The Ministry of Mines and Energy (MME) published, on December 22, 2022, Ordinance No. 57/GM/MME that establishes the schedule for auctions contracting electric energy generation for the triennium 2023 to 2025.

For further information, [click here](#).

New Schedule for Upcoming Energy Transmission Auctions

Following the same guidelines for general energy auctions, the Ministry of Mines and Energy (MME) published, on December 23, 2022, Ordinance No. 58/GM/MME that establishes the schedule for transmission auctions for the triennium 2023 to 2025.

Read the full article [here](#).

MME Publishes Rules that Improve the Decarbonization Credits Regulation

The Ministry of Mines and Energy (MME) published, on December 22, 2022, Ordinance No. 56/GM/MME, which establishes the guidelines for the implementation of the decarbonization credit market (CBIOs), an environmental asset of the National Biofuels Policy (RenovaBio).

To know more, [click here](#).

Infrastructure.

New year, new rules: reorganization of infrastructure ministries as the new Brazilian President takes office

Provisional Presidential Decree No. 1,154/2023 Reorganizes the Infrastructure Ministries

As soon as the new President, Luis Inácio Lula da Silva, took office on the first day of the year, the modifications and reorganizations of the government departments started right away.

Learn more about it [here](#).



Antitrust.

Brazilian Government sanctions new law incentivizing damage claims for cartel losses

On November 16, 2022, Brazilian President sanctioned Law No. 14,470/2022, which amends Law No. 12,529/2011 (Antitrust Law). The amendments intend to establish legal parameters for claims for damages arising from anticompetitive conducts, while seeking to protect the incentives for the leniency and settlement programs of the Administrative Council for Economic Defense (CADE), the Brazilian competition authority.

Read the full newsletter [here](#).

03

Cybersecurity & Data Privacy.

Bill on tax incentive for investments related to LGPD conformity is in progress in the Brazilian Congress

Bill No. 4 of 2022, proposed by Senator Izalci Lucas (PSDB/DF), was accepted by the Brazilian Federal Senate and will go through discussions in both houses of the National Congress and if approved for sanction or veto by the President of the Republic.

Further information is available [here](#).

02

Tax.

Brazilian Federal Government issues new transfer pricing rules

On December 29, 2022, the long-awaited Provisional Measure (PM) No. 1,152/2022 was published, changing the Brazilian transfer pricing (TP) rules.

Check out all the changes [here](#).

05

Capital Markets.

New regulatory framework for investment funds

CVM enacts a resolution that modernizes the investment fund industry in Brazil and puts it closer to its international peers

Awaited by the market, the new regulatory framework for investment funds in Brazil was finally published by the Securities and Exchange Commission (CVM) on December 23, 2022, through CVM Resolution No. 175 (RCVM 175).

Click [here](#) to know more.

06

Corporate Law and Foreign Investment.

CVM issues rule on management formation of Brazilian publicly-held corporations

On September 20, 2022, the Brazilian Securities and Exchange Commission (CVM) issued CVM Resolution No. 168, regulating the legal changes introduced into the Brazilian Corporations Law (LSA) by Law No. 14,195/2021, known as “Business Enabling Environment Law”. Find out [here](#) the regulatory changes.

Brazilian large limited liability companies are no longer required to publish their financial statements

On November 25, 2022, the Brazilian National Department of Business Registration and Integration (DREI) sent to all State Business Registries the Official Notice SEI No. 4742/2022/ME, clarifying an old controversy on the proper interpretation of Article 3 of Law No. 11,638/2007, which was viewed by some State Boards of Trade as a requirement for the publication of financial statements by large limited liability companies, and frequently questioned by Brazilian entrepreneurs given the cost and disclosure involved. Learn more [here](#).

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Newsletter content
developed by TozziniFreire's
German Desk area.

GERMAN DESK'S TEAM:

Ana Carolina Katlauskas Calil | Partner

⊗ Andre Camargo | Partner

⊗ Carolina Dotto | Partner

⊗ Gabriela Lima | Partner

⊗ Marcio Baptista | Partner

For more information, please visit:

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