

New government implements institutional changes in Compliance and International Trade

The following newsletter presents the main changes implemented in the institutional structure of the Brazilian public administration during the first week of the Brazilian new government, highlighting relevant topics for the areas of Compliance and International Trade.

Azevedo Sette
ADVOGADOS



COMPLIANCE

COAF returns to the Ministry of Finance | The Financial Activities Control Council (COAF), the body responsible for preventing and combating money laundering and the financing of terrorism and the proliferation of weapons of mass destruction is no longer linked to the Central Bank and have returned to the structure of the Ministry of Finance.

CGU Minister takes office | Vinícius Marques de Carvalho was appointed Minister of State for the Comptroller General of the Union. The Minister took office in a solemnity on January 3, 2023.



Creation of the National Secretariat for Access to Information |

The new Secretariat, created within the organizational structure of the CGU, is responsible for (i) acting preventively to ensure compliance with the Law on Access to Information by the bodies and entities of the Federal Executive Branch, issuing guidelines on the topic; (ii) deciding on appeals to the Law on Access to Information.

Reduction of fines in leniency agreements |

The Normative Ordinance No. 36, of December 7, 2022 was published in 2022, during the previous government, which establishes the criteria for reducing fines applicable to legal entities that enter into leniency agreements.

The Ordinance establishes the criteria for evaluating whether parties cooperated and whether they self-reported in leniency agreements negotiations.



INTERNATIONAL TRADE

Fragmentation of the Ministry of Economy | The Ministry of Economy was fragmented, with the recreation of the Ministry of Finance, the Ministry of Development, Industry, Commerce and Services (“MDIC”) and the Ministry of Planning and Budget.

Ministers of Finance, MDIC and Planning take office | The following were appointed and took office: (i) Fernando Haddad as Minister of Finance; (ii) Geraldo Alckmin as Minister of Development, Industry, Commerce and Services, and; (iii) Simone Tebet as Minister of Planning and Budget.



Minister announces positions relevant to international trade |

Minister Geraldo Alckmin announced (i) Tatiana Prazeres as Secretary of Foreign Trade (“SECEX”); (ii) Jorge Viana as President of the Brazilian Trade and Investment Promotion Agency (“APEX”), and; (iii) Andrea Macera as Secretary of Competitiveness and Regulatory Policy.



CAMEX's Executive Secretariat returns to the MDIC |

The Executive Secretariat of the Foreign Trade Chamber (SE-CAMEX) has returned to the organizational structure of the MDIC, and will count with three special advisory services: (i) Special Advisory on Non-Tariff Issues and Export Financing; (ii) Special Advisory on Tariff Policy and Trade Remedies, and; (iii) Special Advisory Support for Exports and Foreign Investments.

Creation of the Green Economy, Decarbonization and Bioindustry Secretariat

| The new Secretariat, created under the MDIC, will be responsible for proposing, implementing and evaluating the planning of public policies for the development of the green economy, decarbonization strategies for the productive sectors, and promotion of bioindustry in the country.



Barriers to agricultural trade and strengthening of the

MERCOSUR | The new Minister of Foreign Affairs, Mauro Vieira, highlighted in his inaugural speech that he intends to neutralize barriers to agricultural trade, as well as deepen MERCOSUR with a focus on advancing liberalization and facilitating trade within the block.



Division of competences on international trade |

With the fragmentation of the Ministry of Economy, the Ministerial competences regarding international trade were divided as follows: (i) the **Ministry of Finance** assumes the competences of inspection and control of international trade; (ii) the **MDIC** assumes the competences of policy definition, regulation and execution of programs and activities related to international trade, as well as participation in international negotiations and application of trade remedies mechanisms; (iii) the **Ministry of Planning and Budget** will prepare subsidies for the planning and formulation of long-term public policies.

For more information on the topics presented above, please contact our Compliance and International Trade teams.