

➤ President of Chile enacts Law on Economic and Environmental Crimes

On August 7th, 2023, President Gabriel Boric enacted the Law that systematizes Economic Crimes and Attempts against the Environment, and, among other modifications, expands the criminal liability of legal entities ("[Law](#)").

Consequently, the Law will come into force and will apply to all acts committed from the date of its publication in the Official Gazette. Exceptionally, it may be applied to acts prior to the date of its publication, only when the provisions of the new law are more favorable to the defendant than the provisions of the previous law (in force at the time of the acts).

Please bear in mind that some rules of the Law will come into effect in a different period:

- 1 Legal entities will not be held criminally liable for the offense of collusion until new laws are enacted to coordinate the different sanctions and measures that may be applicable to corporations for this offense, punished by the Antitrust Law (Decree Law N°211).
- 2 Regarding the amendments to the Corporate Criminal Liability Act ("[CCLA](#)"), they will come into force from the first day of the thirteenth month after their publication in the Official Gazette.
- 3 Finally, regarding the possibility of imposing a supervisor to legal entities, either as a precautionary measure or as a penalty, due to the inexistence or serious insufficiency of an effective crime prevention system, although it is subject to the deferred validity indicated above, its application will also be subject to the issuance of a regulation. Such regulation must be issued within one year of the date of publication of the Law in the Official Gazette.

For more information about the Law, we invite you to visit our [previous news alert](#).

AUTORES: Guillermo Acuña, Rodrigo Aldoney, Pablo Albertz, Eduardo Alcaíno.

La información contenida en esta alerta fue preparada por Carey y Cía. Ltda. sólo para fines educativos e informativos y no constituye asesoría legal.

Carey y Cía. Ltda.
Isidora Goyenechea 2800, Piso 43
Las Condes, Santiago, Chile.
www.carey.cl