

AGREEMENT
ON ENVIRONMENTAL COOPERATION
BETWEEN
THE GOVERNMENT OF CANADA
AND
THE GOVERNMENT OF THE REPUBLIC OF CHILE

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PREAMBLE

The Government of Canada and the Government of the Republic of Chile (Chile):

CONVINCED of the importance of the conservation, protection and enhancement of the environment in their territories and the essential role of cooperation in these areas in achieving sustainable development for the well-being of present and future generations;

REAFFIRMING the sovereign right of States to exploit their own resources pursuant to their own environmental and development policies and their responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction;

RECOGNIZING the global nature of the environment;

ACKNOWLEDGING the growing economic and social links between them, including the *Canada-Chile Free Trade Agreement (CCFTA)*;

RECALLING that Canada and Chile share a commitment to pursue policies which promote sustainable development, and that sound environmental management is an essential element of sustainable development;

RECONFIRMING the importance of the environmental goals and objectives of the CCFTA, including enhanced levels of environmental protection;

EMPHASIZING the importance of public participation in conserving, protecting and enhancing the environment;

NOTING the existence of differences in their respective natural endowments, climatic and geographical conditions, and economic, technological and infrastructural capabilities;

REAFFIRMING the *Stockholm Declaration on the Human Environment of 1972* and the *Rio Declaration on Environment and Development of 1992*;

RECALLING their tradition of environmental cooperation and expressing their desire to support and build on international environmental agreements and existing policies and laws, in order to promote cooperation between them;

RECOGNIZING the desire to build on progress made through the cooperative activities of the *Memorandum of Understanding on Environmental Cooperation between the Department of the Environment of Canada and the Department of Industry Canada and the National Commission on the Environment of Chile*;

CONVINCED of the benefits to be derived from a framework, including a Commission, to facilitate effective cooperation on the conservation, protection and enhancement of the environment in their territories; and

DESIRING to facilitate the accession of Chile to the *North American Agreement on Environmental Cooperation*;

HAVE AGREED as follows:

PART ONE

OBJECTIVES

Article 1: Objectives

The objectives of this Agreement are to:

- (a) foster the protection and improvement of the environment in the territories of the Parties for the well-being of present and future generations;
- (b) promote sustainable development based on cooperation and mutually supportive environmental and economic policies;
- (c) increase cooperation between the Parties to better conserve, protect, and enhance the environment, including wild flora and fauna;
- (d) support the environmental goals and objectives of the CCFTA;
- (e) avoid creating trade distortions or new trade barriers;
- (f) strengthen cooperation on the development and improvement of environmental laws, regulations, procedures, policies and practices;
- (g) enhance compliance with, and enforcement of, environmental laws and regulations;
- (h) promote transparency and public participation in the development of environmental laws, regulations and policies;
- (i) promote economically efficient and effective environmental measures; and
- (j) promote pollution prevention policies and practices.

PART TWO
OBLIGATIONS

Article 2: General Commitments

1. Each Party shall, with respect to its territory:
 - (a) periodically prepare and make publicly available reports on the state of the environment;
 - (b) develop and review environmental emergency preparedness measures;
 - (c) promote education in environmental matters, including environmental law;
 - (d) further scientific research and technology development in respect of environmental matters;
 - (e) assess, as appropriate, environmental impacts; and
 - (f) promote the use of economic instruments for the efficient achievement of environmental goals.
2. Each Party shall consider implementing in its law any recommendation developed by the Council under Article 10(6)(b).
3. Each Party shall consider prohibiting the export to the territory of the other Party of a pesticide or toxic substance whose use is prohibited within the Party's territory. When a Party adopts a measure prohibiting or severely restricting the use of a pesticide or toxic substance in its territory, it shall notify the other Party of the measure, either directly or through an appropriate international organization.

Article 3: Levels of Protection

Recognizing the right of each Party to establish its own levels of domestic environmental protection and environmental development policies and priorities, and to adopt or modify accordingly its environmental laws and regulations, each Party shall ensure that its laws and regulations provide for high levels of environmental protection and shall strive to continue to improve those laws and regulations.

Article 4: Publication

1. Each Party shall ensure that its laws, regulations, procedures and administrative rulings of general application respecting any matter covered by this Agreement are promptly published or otherwise made available in such a manner as to enable interested persons and the other Party to become acquainted with them.
2. To the extent possible, each Party shall:
 - (a) publish in advance any such measure that it proposes to adopt; and
 - (b) provide interested persons and the other Party a reasonable opportunity to comment on such proposed measures.

Article 5: Government Enforcement Action

1. With the aim of achieving high levels of environmental protection and compliance with its environmental laws and regulations, each Party shall effectively enforce its environmental laws and regulations through appropriate governmental action, subject to Article 37, such as:

- (a) appointing and training inspectors;
- (b) monitoring compliance and investigating suspected violations, including through on-site inspections;
- (c) seeking assurances of voluntary compliance and compliance agreements;
- (d) publicly releasing non-compliance information;
- (e) issuing bulletins or other periodic statements on enforcement procedures;
- (f) promoting environmental audits;
- (g) requiring record keeping and reporting;
- (h) providing or encouraging mediation and arbitration services;
- (i) using licenses, permits or authorizations;
- (j) initiating, in a timely manner, judicial, quasi-judicial or administrative proceedings to seek appropriate sanctions or remedies for violations of its environmental laws and regulations;
- (k) providing for search, seizure or detention; or
- (l) issuing administrative orders, including orders of a preventative, curative or emergency nature.

2. Each Party shall ensure that judicial, quasi-judicial or administrative enforcement proceedings are available under its law to sanction or remedy violations of its environmental laws and regulations.

3. Sanctions and remedies provided for a violation of a Party's environmental laws and regulations shall, as appropriate:

- (a) take into consideration the nature and gravity of the violation, any economic benefit derived from the violation by the violator, the economic condition of the violator, and other relevant factors; and
- (b) include compliance agreements, fines, imprisonment, injunctions, the closure of facilities, and the cost of containing or cleaning up pollution.

Article 6: Private Access to Remedies

1. Each Party shall ensure that interested persons may request the Party's competent authorities to investigate alleged violations of its environmental laws and regulations and shall give such requests due consideration in accordance with law.

2. Each Party shall ensure that persons with a legally recognized interest under its law in a particular matter have appropriate access to administrative, quasi-judicial or judicial proceedings for the enforcement of the Party's environmental laws and regulations.

3. Private access to remedies shall include rights, in accordance with the Party's law, such as:

- (a) to sue another person under that Party's jurisdiction for damages;
- (b) to seek sanctions or remedies such as monetary penalties, emergency closures or orders to mitigate the consequences of violations of its environmental laws and regulations;
- (c) to request the competent authorities to take appropriate action to enforce that Party's environmental laws and regulations in order to protect the environment or to avoid environmental harm; or
- (d) to seek injunctions where a person suffers, or may suffer, loss, damage or injury as a result of conduct by another person under that Party's jurisdiction contrary to that Party's environmental laws and regulations or from tortious conduct.

Article 7: Procedural Guarantees

1. Each Party shall ensure that its administrative, quasi-judicial and judicial proceedings referred to in Articles 5(2) and 6(2) are fair, open and equitable, and to this end shall provide that such proceedings:

- (a) comply with due process of law;
- (b) are open to the public, except where the administration of justice otherwise requires;
- (c) entitle the parties to the proceedings to support or defend their respective positions and to present information or evidence; and
- (d) are not unnecessarily complicated and do not entail unreasonable charges or time limits or unwarranted delays.

2. Each Party shall provide that final decisions on the merits of the case in such proceedings are:

- (a) in writing and preferably state the reasons on which the decisions are based;
- (b) made available without undue delay to the parties to the proceedings and, consistent with its law, to the public; and
- (c) based on information or evidence in respect of which the parties were offered the opportunity to be heard.

3. Each Party shall provide, as appropriate, that parties to such proceedings have the right, in accordance with its law, to seek review and, where warranted, correction of final decisions issued in such proceedings.

4. Each Party shall ensure that tribunals that conduct or review such proceedings are impartial and independent and do not have any substantial interest in the outcome of the matter.

PART THREE

CANADA-CHILE COMMISSION FOR ENVIRONMENTAL COOPERATION

Article 8: The Commission

1. The Parties hereby establish the Canada-Chile Commission for Environmental Cooperation.
2. The Commission shall comprise a Council, a Joint Submission Committee and a Joint Public Advisory Committee. The Commission shall be assisted by the National Secretariat of each Party.

Section A: The Council

Article 9: Council Structure and Procedures

1. The Council shall comprise cabinet-level or equivalent representatives of the Parties, or their designees.
2. The Council shall establish its rules and procedures.
3. The Council shall convene:
 - (a) at least once a year in regular session; and
 - (b) in special session at the request of either Party.

Regular sessions shall be chaired alternately by each Party.

4. The Council shall hold public meetings in the course of all regular sessions. Other meetings held in the course of regular or special sessions shall be public where the Council so decides.
5. The Council may:
 - (a) establish, and assign responsibilities to, *ad hoc* or standing committees, working groups or expert groups;
 - (b) seek the advice of non-governmental organizations or persons, including independent experts; and
 - (c) take such other action in the exercise of its functions as the Parties may agree.
6. All decisions and recommendations of the Council shall be taken by mutual agreement, except as the Council may otherwise decide or as otherwise provided in this Agreement.
7. All decisions and recommendations of the Council shall be made public, except as the Council may otherwise decide or as otherwise provided in this Agreement.

Article 10: Council Functions

1. The Council shall be the governing body of the Commission and shall:
 - (a) serve as a forum for the discussion of environmental matters within the scope of this Agreement;
 - (b) oversee the implementation and develop recommendations on the further elaboration of this Agreement and, to this end, the Council shall, within three years after the date of entry into force of this Agreement, review its operation and effectiveness in the light of experience;
 - (c) oversee the functions assigned to the National Secretariats within the scope of this Agreement;
 - (d) address questions and differences that may arise between the Parties regarding the interpretation or application of this Agreement;
 - (e) approve the annual program of work and budget of the Commission; and
 - (f) promote and facilitate cooperation between the Parties with respect to environmental matters.

2. The Council may consider, and develop recommendations regarding:
 - (a) comparability of techniques and methodologies for data gathering and analysis, data management and electronic data communications on matters covered by this Agreement;
 - (b) pollution prevention techniques and strategies;
 - (c) approaches and common indicators for reporting on the state of the environment;
 - (d) the use of economic instruments for the pursuit of domestic and internationally agreed environmental objectives;
 - (e) scientific research and technology development in respect of environmental matters;
 - (f) promotion of public awareness regarding the environment;
 - (g) global environmental issues, such as the long-range transport of air and marine pollutants;
 - (h) exotic species that may be harmful;
 - (i) the conservation and protection of wild flora and fauna and their habitat, and specially protected natural areas;
 - (j) the protection of endangered and threatened species;
 - (k) environmental emergency preparedness and response activities;
 - (l) environmental matters as they relate to economic development;
 - (m) the environmental implications of goods throughout their life cycles;
 - (n) human resource training and development in the environmental field;

- (o) the exchange of environmental scientists and officials;
- (p) approaches to environmental compliance and enforcement;
- (q) ecologically sensitive national accounts;
- (r) eco-labelling; and
- (s) other matters as it may decide.

3. The Council shall strengthen cooperation on the development and continuing improvement of environmental laws and regulations, including by:

- (a) promoting the exchange of information on criteria and methodologies used in establishing domestic environmental standards; and
- (b) without reducing levels of environmental protection, establishing a process for developing recommendations on greater compatibility of environmental technical regulations, standards and conformity assessment procedures in a manner consistent with the CCFTA.

4. At the request of the Council, either National Secretariat, or both, shall prepare a report on any environmental matter related to the cooperative functions of this Agreement.

5. The Council shall encourage:

- (a) effective enforcement by each Party of its environmental laws and regulations;
- (b) compliance with those laws and regulations; and
- (c) technical cooperation between the Parties.

6. The Council shall promote and, as appropriate, develop recommendations regarding:

- (a) public access to information concerning the environment that is held by public authorities of each Party, including information on hazardous materials and activities in its communities, and opportunity to participate in decision-making processes related to such public access; and
- (b) appropriate limits for specific pollutants, taking into account differences in ecosystems.

7. The Council shall cooperate with the CCFTA Free Trade Commission to achieve the environmental goals and objectives of the CCFTA by:

- (a) acting as a point of inquiry and receipt for comments from non-governmental organizations and persons concerning those goals and objectives;

- (b) providing assistance in consultations under Article G-14 of the CCFTA where a Party considers that the other Party is waiving or derogating from, or offering to waive or otherwise derogate from, an environmental measure as an encouragement to establish, acquire, expand or retain an investment of an investor, with a view to avoiding any such encouragement;
- (c) contributing to the prevention or resolution of environment-related trade disputes by:
 - (i) seeking to avoid disputes between the Parties,
 - (ii) making recommendations to the Free Trade Commission with respect to the avoidance of such disputes, and
 - (iii) identifying experts able to provide information or technical advice to CCFTA committees, working groups and other CCFTA bodies;
- (d) considering on an ongoing basis the environmental effects of the CCFTA; and
- (e) otherwise assisting the Free Trade Commission in environment-related matters.

Section B: The National Secretariats

Article 11: National Secretariat

1. Each Party shall establish a National Secretariat and notify the other Party of its location.
2. Each Party shall designate an Executive Secretary for its National Secretariat, who shall be responsible for its administration and management.
3. The National Secretariats shall provide technical, administrative and operational support to the Council and to committees and groups established by the Council, and such other support as the Council may direct.
4. The National Secretariats shall jointly submit for the approval of the Council the annual program of work and budget of the Commission, including provisions for proposed cooperative activities and for the National Secretariats to respond to contingencies. The annual program of work shall identify how its implementation shall be financed and clearly define how it shall be implemented, including identification of institutions, agencies, individuals, and/or cooperative arrangements whereby it shall be implemented. In developing the annual program of work, the National Secretariats shall consider issues arising from factual records previously prepared, or under preparation, by the Commission.
5. The National Secretariats shall, as appropriate, provide the public information on where they may receive technical advice and expertise with respect to environmental matters.
6. The National Secretariats and the Joint Submission Committee shall safeguard:
 - (a) from disclosure information they receive that could identify a non-governmental organization or person making a submission if the person or organization so requests or the National Secretariats or the Joint Submission Committee otherwise consider it

appropriate; and

- (b) from public disclosure any information they receive from any non-governmental organization or person where the information is designated by that non-governmental organization or person as confidential or proprietary.

Article 12: The Joint Submission Committee

1. A Joint Submission Committee consisting of two members, one from each Party, shall be established within six months of the entry into force of this Agreement. The members shall be chosen by the Council for a three year term, which may be renewed by the Council for one additional three year term.

2. The members of the Joint Submission Committee shall be chosen in accordance with general standards to be established by the Council. The general standards shall provide that the members shall:

- (a) be familiar with environmental law and its enforcement;
- (b) be chosen strictly on the basis of objectivity, reliability and sound judgment;
- (c) be independent of, and not be affiliated with or take instruction from, either Party; and
- (d) comply with a code of conduct.

Article 13: Annual Report of the Commission

1. The National Secretariats shall jointly prepare an annual report of the Commission in accordance with instructions from the Council. The National Secretariats shall submit jointly a draft of the report for review by the Council. The final report shall be released publicly.

2. The report shall cover:

- (a) activities and expenses of the Commission during the previous year;
- (b) the approved program and budget of the Commission for the subsequent year;
- (c) the actions taken by each Party in connection with its obligations under this Agreement, including data on the Party's environmental enforcement activities;
- (d) relevant views and information submitted by non-governmental organizations and persons, including summary data regarding submissions, and any other relevant information the Council deems appropriate;
- (e) recommendations made on any matter within the scope of this Agreement; and
- (f) any other matter that the Council instructs the National Secretariats to include.

3. The report shall periodically address the state of the environment in the territories of the Parties.

Article 14: Submissions on Enforcement Matters

1. A submission on enforcement matters may be sent to either National Secretariat. When a National Secretariat receives a submission it will provide a copy to the other National Secretariat. The National Secretariats may consider in consultation with each other a submission from any non-governmental organization or person asserting that a Party is failing to effectively enforce its environmental law. The submission will be forwarded to the Joint Submission Committee if either National Secretariat finds that a submission:

- (a) is in writing in one of the official languages of the Agreement;
- (b) clearly identifies the person or organization making the submission;
- (c) provides sufficient information to allow for the review of the submission, including any documentary evidence on which the submission may be based;
- (d) appears to be aimed at promoting enforcement rather than at harassing industry;
- (e) indicates that the matter has been communicated in writing to the relevant authorities of the Party and indicates the Party's response, if any;
- (f) is filed by a person or organization residing or established in the territory of a Party; and
- (g) includes, in the case of submissions sent by a person or organization residing or established in the territory of Canada, a declaration to the effect that the matter will not subsequently be submitted to the Secretariat of the Commission for Environmental Cooperation under the *North American Agreement on Environmental Cooperation*, with a view to avoiding duplication in the handling of submissions.

2. In deciding whether the submission merits requesting a response from the Party, the Joint Submission Committee shall be guided by whether:

- (a) the submission alleges harm to the person or organization making the submission;
- (b) the submission, alone or in combination with other submissions, raises matters whose further study in this process would advance the goals of this Agreement;
- (c) private remedies available under the Party's law have been pursued; and
- (d) the submission is drawn exclusively from mass media reports.

Where the Joint Submission Committee makes such a request, it shall forward to the Party a copy of the submission and any supporting information provided with the submission.

3. The Party shall advise the Joint Submission Committee within 30 days or, in exceptional circumstances and on notification to the Joint Submission Committee, within 60 days of delivery of the request:

- (a) whether the matter is the subject of a pending judicial or administrative proceeding, or whether the matter has previously been or is presently being considered by the Secretariat of the Commission for Environmental Cooperation of the *North American Agreement on Environmental Cooperation*, in which case the Joint Submission Committee shall proceed no further; and
- (b) of any other information that the Party wishes to submit, such as
 - i) whether the matter was previously the subject of a judicial or administrative proceeding, and
 - ii) whether private remedies in connection with the matter are available to the person or organization making the submission and whether they have been pursued.

Article 15: Factual Record

1. If the Joint Submission Committee considers that the submission, in light of any response provided by the Party, warrants developing a factual record, the Joint Submission Committee shall so inform the Council and provide its reasons.

2. A factual record shall be prepared if a Party so decides. In cases to which paragraph 2 of Annex 41 applies, a factual record shall be prepared if the Council so agrees. The National Secretariat of the Party which is not the subject of the submission shall then commission an expert in environmental matters, selected from a roster of such experts established by the Parties within 6 months following the entry into force of this Agreement, to prepare a factual record.

3. The preparation of a factual record pursuant to this Article shall be without prejudice to any further steps that may be taken with respect to any submission.

4. In preparing a factual record, the expert in environmental matters shall consider any information furnished by a Party and may consider any relevant technical, scientific or other information:

- (a) that is publicly available;
- (b) submitted by interested non-governmental organizations or persons;
- (c) submitted by the Joint Public Advisory Committee; or
- (d) developed by independent experts.

5. The expert in environmental matters shall submit a draft factual record for consideration by the Council. Any Party may provide comments on the accuracy of the draft within 45 days thereafter.

6. The expert in environmental matters shall incorporate, as appropriate, any such comments in the final factual record and submit it for the consideration of the Council.

7. At the request of either Party, the Council shall make the final factual record publicly available within 60 days following its submission.

Section C: Advisory Committees

Article 16: Joint Public Advisory Committee

1. The Joint Public Advisory Committee shall comprise six members, unless the Council otherwise decides. Each Party shall appoint an equal number of members.
2. The Council shall establish the rules of procedure for the Joint Public Advisory Committee, which shall choose its own chair.
3. The Joint Public Advisory Committee shall convene at least once a year at the time of the regular session of the Council and at such other times as the Council, or the Committee's chair with the consent of a majority of its members, may decide.
4. The Joint Public Advisory Committee may provide advice to the Council on any matter within the scope of this Agreement, including on any documents provided to it under paragraph 6, and on the implementation and further elaboration of this Agreement, and may perform such other functions as the Council may direct.
5. The Joint Public Advisory Committee may provide relevant technical, scientific or other information to the National Secretariats, including for purposes of developing a factual record under Article 15. The National Secretariats shall provide to the Council copies of any such information.
6. The National Secretariats shall provide to the Joint Public Advisory Committee at the time they are submitted to the Council copies of the proposed annual program of work and budget of the Commission and the draft annual report.

Article 17: National Advisory Committees

Each Party may convene a national advisory committee, comprising members of its public, including representatives of non-governmental organizations and persons, to advise it on the implementation and further elaboration of this Agreement.

Article 18: Governmental Committees

Each Party may convene a governmental committee, which may comprise or include representatives of national and provincial governments, to advise it on the implementation and further elaboration of this Agreement.

Section D: Official Languages

Article 19: Official Languages

The official languages of the Commission shall be English, French and Spanish. All annual reports under Article 13, factual records submitted to the Council under Article 15(6) and panel reports under Part Five shall be available in each official language at the time they are made public. The Council shall establish rules and procedures regarding interpretation and translation.

PART FOUR

COOPERATION AND PROVISION OF INFORMATION

Article 20: Cooperation

1. The Parties shall at all times endeavour to agree on the interpretation and application of this Agreement, and shall make every attempt through cooperation and consultations to resolve any matter that might affect its operation.
2. To the maximum extent possible, each Party shall notify the other Party of any proposed or actual environmental measure that the Party considers might materially affect the operation of this Agreement or otherwise substantially affect that other Party's interests under this Agreement.
3. On request of the other Party, a Party shall promptly provide information and respond to questions pertaining to any such actual or proposed environmental measure, whether or not the other Party has been previously notified of that measure.
4. A Party may notify the other Party of, and provide to that Party, any credible information regarding possible violations of its environmental law, specific and sufficient to allow the other Party to inquire into the matter. The notified Party shall take appropriate steps in accordance with its law to so inquire and to respond to the other Party.

Article 21: Provision of Information

1. On request of the Council, a National Secretariat or the members of the Joint Submission Committee, each Party shall, in accordance with its law, provide such information as the Council, a National Secretariat or the members of the Joint Submission Committee may require, including:
 - (a) promptly making available any information in its possession required for the preparation of a report or factual record, including compliance and enforcement data; and
 - (b) taking all reasonable steps to make available any other such information requested.
2. If a Party considers that a request for information from a National Secretariat or the members of the Joint Submission Committee is excessive or otherwise unduly burdensome, it may so notify the Council. The National Secretariat or the members of a Joint Submission Committee shall revise the scope of the request to comply with any limitations established by the Council.
3. If a Party does not make available information requested by a National Secretariat, or the Joint Submission Committee, as may be limited pursuant to paragraph 2, it shall promptly advise the National Secretariat or the Joint Submission Committee, as appropriate, of its reasons in writing.

PART FIVE

CONSULTATION AND RESOLUTION OF DISPUTES

Article 22: Consultations

1. Either Party may request in writing consultations with the other Party regarding whether there has been a persistent pattern of failure by the other Party to effectively enforce its environmental law.
2. In such consultations, the Parties shall make every attempt to arrive at a mutually satisfactory resolution of the matter.

Article 23: Initiation of Procedures

1. If the Parties fail to resolve the matter pursuant to Article 22 within 60 days of delivery of a request for consultations, or such other period as the Parties may agree, either Party may request in writing a special session of the Council.
2. The requesting Party shall state in the request the matter complained of and shall deliver the request to the other Party.
3. Unless agreed otherwise, the Council shall convene within 20 days of the delivery of the request and shall endeavour to resolve the dispute promptly.
4. The Council may:
 - (a) call on such technical advisers or create such working groups or expert groups as it deems necessary,
 - (b) have recourse to good offices, conciliation, mediation or such other dispute resolution procedures, or
 - (c) make recommendations,

as may assist the Parties to reach a mutually satisfactory resolution of the dispute. Any such recommendations shall be made public if the Council so decides.

5. Where the Council decides that a matter is more properly covered by another agreement or arrangement to which the Parties are party, it shall refer the matter for appropriate action in accordance with such other agreement or arrangement.

Article 24: Request for an Arbitral Panel

1. If the matter has not been resolved within 60 days after the Council has convened pursuant to Article 23, the Council shall, on the written request of either Party, convene an arbitral panel to consider the matter where the alleged persistent pattern of failure by the Party complained against to effectively enforce its environmental law relates to a situation involving workplaces, firms, companies or sectors that produce goods or provide services:
 - (a) traded between the territories of the Parties; or
 - (b) that compete, in the territory of the Party complained against, with goods or services produced or provided by persons of the other Party.

2. Unless otherwise agreed by the Parties, the panel shall be established and perform its functions in a manner consistent with the provisions of this Part.

Article 25: Roster

1. The Council shall establish and maintain a roster of up to 30 individuals, six of whom must not be citizens of either of the Parties, who are willing and able to serve as panelists. The roster members shall be appointed by mutual agreement for terms of three years, and may be reappointed.

2. Roster members shall:

- (a) have expertise or experience in environmental law or its enforcement, or in the resolution of disputes arising under international agreements, or other relevant scientific, technical or professional expertise or experience;
- (b) be chosen strictly on the basis of objectivity, reliability and sound judgment;
- (c) be independent of, and not be affiliated with or take instructions from, either Party or the Joint Public Advisory Committee; and
- (d) comply with a code of conduct to be established by the Council.

Article 26: Qualifications of Panelists

1. All panelists shall meet the qualifications set out in Article 25(2).

2. Individuals may not serve as panelists for a dispute in which:

- (a) they have participated pursuant to Article 23(4); or
- (b) they have, or a person or organization with which they are affiliated has, an interest, as set out in the code of conduct established under Article 25(2)(d).

Article 27: Panel Selection

1. For purposes of selecting a panel, the following procedures shall apply:

- (a) The panel shall comprise five members.
- (b) The Parties shall endeavour to agree on the chair of the panel within 15 days after the Council decides to convene the panel. If the Parties are unable to agree on the chair within this period, the Party chosen by lot shall select within five days a chair who is not a citizen of that Party.
- (c) Within 15 days of selection of the chair, each Party shall select two panelists who are citizens of the other Party.
- (d) If either Party fails to select its panelists within such period, such panelists shall be selected by lot from among the roster members who are citizens of the other Party.

2. Panelists shall normally be selected from the roster. Either Party may exercise a peremptory challenge against any individual not on the roster who is proposed as a panelist by the other Party within 30 days after the individual has been proposed.

3. If either Party believes that a panelist is in violation of the code of conduct, the Parties shall consult and, if they agree, the panelist shall be removed and a new panelist shall be selected in accordance with this Article.

Article 28: Rules of Procedure

1. The Council shall establish Model Rules of Procedure. The procedures shall provide:

- (a) a right to at least one hearing before the panel;
- (b) the opportunity to make initial and rebuttal written submissions; and
- (c) that no panel may disclose which panelists are associated with majority or minority opinions.

2. Unless the Parties otherwise agree, panels convened under this Part shall be established and conduct their proceedings in accordance with the Model Rules of Procedure.

3. Unless the Parties otherwise agree within 20 days after the Council convenes the panel, the terms of reference shall be:

"To examine, in light of the relevant provisions of the Agreement, including those contained in Part Five, whether there has been a persistent pattern of failure by the Party complained against to effectively enforce its environmental law, and to make findings, determinations and recommendations in accordance with Article 30(2)."

Article 29: Role of Experts

On request of either Party, or on its own initiative, the panel may seek information and technical advice from any person or body that it deems appropriate, provided that the Parties so agree and subject to such terms and conditions as the Parties may agree.

Article 30: Initial Report

1. Unless the Parties otherwise agree, the panel shall base its report on the submissions and arguments of the Parties and on any information before it pursuant to Article 29.

2. Unless the Parties otherwise agree, the panel shall, within 180 days after the last panelist is selected, present to the Parties an initial report containing:

- (a) findings of fact;
- (b) its determination as to whether there has been a persistent pattern of failure by the Party complained against to effectively enforce its environmental law, or any other determination requested in the terms of reference; and
- (c) in the event the panel makes an affirmative determination under subparagraph (b), its recommendations, if any, for the resolution of the dispute, which normally shall be that the Party complained against adopt and implement an action plan sufficient to remedy

the pattern of non-enforcement.

3. Panelists may furnish separate opinions on matters not unanimously agreed.
4. Either Party may submit written comments to the panel on its initial report within 30 days of presentation of the report.
5. In such an event, and after considering such written comments, the panel, on its own initiative or on the request of either Party, may:
 - (a) request the views of the Parties;
 - (b) reconsider its report; and
 - (c) make any further examination that it considers appropriate.

Article 31: Final Report

1. The panel shall present to the Parties a final report, including any separate opinions on matters not unanimously agreed, within 60 days of presentation of the initial report, unless the Parties otherwise agree.
2. The Parties shall transmit to the Council the final report of the panel, as well as any written views that either Party desires to be appended, on a confidential basis within 15 days after it is presented to them.
3. The final report of the panel shall be published five days after it is transmitted to the Council.

Article 32: Implementation of Final Report

If, in its final report, a panel determines that there has been a persistent pattern of failure by the Party complained against to effectively enforce its environmental law, the Parties may agree on a mutually satisfactory action plan, which normally shall conform with the determinations and recommendations of the panel.

Article 33: Review of Implementation

1. If, in its final report, a panel determines that there has been a persistent pattern of failure by the Party complained against to effectively enforce its environmental law, and:
 - (a) the Parties have not agreed on an action plan under Article 32 within 60 days of the date of the final report, or
 - (b) the Parties cannot agree on whether the Party complained against is fully implementing
 - (i) an action plan agreed under Article 32,
 - (ii) an action plan deemed to have been established by a panel under paragraph 2, or
 - (iii) an action plan approved or established by a panel under paragraph 4,

either Party may request that the panel be reconvened by delivering a request in writing to the other Party. The Council shall reconvene the panel on delivery of the request to the other Party.

2. No Party may make a request under paragraph 1(a) earlier than 60 days, or later than 120 days, after the date of the final report. If the Parties have not agreed to an action plan and if no request was made under paragraph 1(a), the last action plan, if any, submitted by the Party complained against to the other Party within 60 days of the date of the final report, or such other period as the Parties may agree, shall be deemed to have been established by the panel 120 days after the date of the final report.

3. A request under paragraph 1(b) may be made no earlier than 180 days after an action plan has been:

- (a) agreed under Article 32,
- (b) deemed to have been established by a panel under paragraph 2, or
- (c) approved or established by a panel under paragraph 4,

and only during the term of any such action plan.

4. Where a panel has been reconvened under paragraph 1(a), it:

- (a) shall determine whether any action plan proposed by the Party complained against is sufficient to remedy the pattern of non-enforcement and
 - (i) if so, shall approve the plan, or
 - (ii) if not, shall establish such a plan consistent with the law of the Party complained against, and
- (b) may, where warranted, impose a monetary enforcement assessment in accordance with Annex 33,

within 90 days after the panel has been reconvened or such other period as the Parties may agree.

5. Where a panel has been reconvened under paragraph 1(b), it shall determine either that:

- (a) the Party complained against is fully implementing the action plan, in which case the panel may not impose a monetary enforcement assessment, or
- (b) the Party complained against is not fully implementing the action plan, in which case the panel shall impose a monetary enforcement assessment in accordance with Annex 33,

within 60 days after it has been reconvened or such other period as the Parties may agree.

6. A panel reconvened under this Article shall provide that the Party complained against shall fully implement any action plan referred to in paragraph 4(a)(ii) or 5(b), and pay any monetary enforcement assessment imposed under paragraph 4(b) or 5(b), and any such provision shall be final.

Article 34: Further Proceeding

A complaining Party may, at any time beginning 180 days after a panel determination under Article 33(5)(b), request in writing that a panel be reconvened to determine whether the Party complained against is fully implementing the action plan. On delivery of the request to the other Party, the Council shall reconvene the panel. The panel shall make the determination within 60 days after it has been reconvened or such other period as the Parties may agree.

Article 35: Domestic Enforcement and Collection

1. For the purposes of this Article, "**panel determination**" means:
 - (a) a determination by a panel under Article 33(4)(b) or 5(b) that provides that the Party complained against shall pay a monetary enforcement assessment; and
 - (b) a determination by a panel under Article 33(5)(b) that provides that the Party complained against shall fully implement an action plan where the panel:
 - (i) has previously established an action plan under Article 33(4)(a)(ii) or imposed a monetary enforcement assessment under Article 33(4)(b); or
 - (ii) has subsequently determined under Article 34 that the Party complained against is not fully implementing an action plan.
2. In Canada, the procedures shall be the following:
 - (a) subject to subparagraph (b), the National Secretariat of Chile, acting on behalf of the Commission, may in the name of the Commission file in a court of competent jurisdiction a certified copy of a panel determination;
 - (b) the National Secretariat of Chile, acting on behalf of the Commission, may file in court a panel determination that is a panel determination described in paragraph 1(a) only if Canada has failed to comply with the determination within 180 days of when the determination was made;
 - (c) when filed, the panel determination, for purposes of enforcement, shall become an order of the court;
 - (d) the National Secretariat of Chile, acting on behalf of the Commission, may take proceedings for enforcement of a panel determination that is made an order of the court, in that court, against the person against whom the panel determination is addressed in accordance with paragraph 6 of Annex 41;
 - (e) proceedings to enforce a panel determination that has been made an order of the court shall be conducted by way of summary proceedings;
 - (f) in proceedings to enforce a panel determination that is a panel determination described in paragraph 1(b) and that has been made an order of the court, the court shall promptly refer any question of fact or any question of interpretation of the panel determination to the panel that made the panel determination, and the decision of the panel shall be binding on the court;

- (g) a panel determination that has been made an order of the court shall not be subject to domestic review or appeal; and
 - (h) an order made by the court in proceedings to enforce a panel determination that has been made an order of the court shall not be subject to review or appeal.
3. In Chile, the procedures shall be the following:
- (a) subject to subparagraph (b), the National Secretariat of Canada, acting on behalf of the Commission, may in the name of the Commission file in a court of competent jurisdiction a certified copy of a panel determination;
 - (b) the National Secretariat of Canada, acting on behalf of the Commission, may file in court a panel determination that is a panel determination described in paragraph 1(a) only if Chile has failed to comply with the determination within 180 days of when the determination was made;
 - (c) the court of competent jurisdiction is the Supreme Court;
 - (d) the National Secretariat of Canada, acting on behalf of the Commission, shall certify that the panel determination is final and not subject to appeal;
 - (e) the Supreme Court shall issue a resolution ordering the enforcement of the panel determination within 10 days of when the petition was filed; and
 - (f) the resolution of the Supreme Court shall be addressed to the competent administrative authority for its prompt compliance.
4. Any change by the Parties to the procedures adopted and maintained by each of them pursuant to this Article that has the effect of undermining the provisions of this Article shall be considered a breach of this Agreement.

Article 36: Funding of Panel Proceedings

The Parties shall agree on a separate budget for each set of panel proceedings pursuant to Articles 24 to 34. The Parties shall contribute equally to this budget.

PART SIX

GENERAL PROVISIONS

Article 37: Enforcement Principle

Nothing in this Agreement shall be construed to empower a Party's authorities to undertake environmental law enforcement activities in the territory of the other Party.

Article 38: Private Rights

No Party may provide for a right of action under its law against the other Party on the ground that the other Party has acted in a manner inconsistent with this Agreement.

Article 39: Protection of Information

1. Nothing in this Agreement shall be construed to require a Party to make available or allow access to information:
 - (a) the disclosure of which would impede its environmental law enforcement; or
 - (b) that is protected from disclosure by its law governing business or proprietary information, personal privacy or the confidentiality of governmental decision making.
2. If a Party provides confidential or proprietary information to the other Party, the Council, a National Secretariat, the Joint Submission Committee or the Joint Public Advisory Committee, the recipient shall treat the information on the same basis as the Party providing the information.
3. Confidential or proprietary information provided by a Party to a panel under this Agreement shall be treated in accordance with the rules of procedure established under Article 28.

Article 40: Relation to Other Environmental Agreements

Nothing in this Agreement shall be construed to affect the existing rights and obligations of either Party under other international environmental agreements, including conservation agreements, to which such Party is a party.

Article 41: Extent of Obligations

Annex 41 applies to the Parties specified in that Annex.

Article 42: National Security

Nothing in this Agreement shall be construed:

- (a) to require a Party to make available or provide access to information the disclosure of which it determines to be contrary to its essential security interests; or
- (b) to prevent a Party from taking any actions that it considers necessary for the protection of its essential security interests relating to
 - (i) arms, ammunition and implements of war, or
 - (ii) the implementation of national policies or international agreements respecting the non-proliferation of nuclear weapons or other nuclear explosive devices.

Article 43: Funding of the Commission

Each Party shall contribute an equal share of the annual budget of the Commission, subject to the availability of appropriated funds in accordance with the Party's legal procedures. Neither Party shall be obligated to pay more than the other Party in respect of an annual budget.

Article 44: Definitions

1. For purposes of this Agreement:

A Party has not failed to "**effectively enforce its environmental law**" or to comply with Article 5(1) in a particular case where the action or inaction in question by agencies or officials of that Party:

- (a) reflects a reasonable exercise of their discretion in respect of investigatory, prosecutorial, regulatory or compliance matters; or
- (b) results from *bona fide* decisions to allocate resources to enforcement in respect of other environmental matters determined to have higher priorities;

"**citizen**" means a citizen as defined in Annex 44.1 for the Party specified in that Annex;

"**non-governmental organization**" means any scientific, professional, business, non-profit, or public interest organization or association which is neither affiliated with, nor under the direction of, a government;

"**persistent pattern**" means a sustained or recurring course of action or inaction beginning after the date of entry into force of this Agreement;

"**province**" means a province of Canada, and includes the Yukon Territory and the Northwest Territories and their successors; and

"**territory**" means for a Party the territory of that Party as set out in Annex 44.1.

2. Except as otherwise provided in Annex 44.2, for purposes of Article 14(1) and Part Five:

- (a) "**environmental law**" means any statute or regulation of a Party, or provision thereof, the primary purpose of which is the protection of the environment, or the prevention of a danger to human life or health, through
 - (i) the prevention, abatement or control of the release, discharge, or emission of pollutants or environmental contaminants,
 - (ii) the control of environmentally hazardous or toxic chemicals, substances, materials and wastes, and the dissemination of information related thereto, or
 - (iii) the protection of wild flora or fauna, including endangered species, their habitat, and specially protected natural areas

in the Party's territory, but does not include any statute or regulation, or provision thereof, directly related to worker safety or health.

- (b) For greater certainty, the term "**environmental law**" does not include any statute or regulation, or provision thereof, the primary purpose of which is managing the commercial harvest or exploitation, or subsistence or aboriginal harvesting, of natural resources.
- (c) The primary purpose of a particular statutory or regulatory provision for purposes of subparagraphs (a) and (b) shall be determined by reference to its primary purpose, rather than to the

primary purpose of the statute or regulation of which it is part.

3. For purposes of Article 14(3), "**judicial or administrative proceeding**" means:

- (a) a domestic judicial, quasi-judicial or administrative action pursued by the Party in a timely fashion and in accordance with its law. Such actions comprise: mediation; arbitration; the process of issuing a license, permit, or authorization; seeking an assurance of voluntary compliance or a compliance agreement; seeking sanctions or remedies in an administrative or judicial forum; and the process of issuing an administrative order; and
- (b) an international dispute resolution proceeding to which the Party is party.

PART SEVEN

FINAL PROVISIONS

Article 45: Annexes

The Annexes to this Agreement constitute an integral part of the Agreement.

Article 46: Entry into Force

This Agreement shall enter into force on June 2, 1997, immediately after entry into force of the CCFTA, on an exchange of written notifications certifying the completion of necessary legal procedures.

Article 47: Amendments

1. The Parties may agree on any modification of or addition to this Agreement.
2. When so agreed, and approved in accordance with the applicable legal procedures of each Party, a modification or addition shall constitute an integral part of this Agreement.

Article 48: Accession of Chile to the *North American Agreement on Environmental Cooperation*

The Parties shall work toward the early accession of Chile to the *North American Agreement on Environmental Cooperation*.

Article 49: Termination

Either Party may terminate this Agreement by giving written notice to the other Party. Such termination shall take effect six months after the date of receipt of written notice by the other Party.

Article 50: Authentic Texts

The English, French, and Spanish texts of this Agreement are equally authentic.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE in duplicate, in Ottawa, this 6th day of February, 1997.

**FOR THE GOVERNMENT
OF CANADA**

**FOR THE GOVERNMENT OF
THE REPUBLIC OF CHILE**

ANNEX 33

MONETARY ENFORCEMENT ASSESSMENTS

1. Any monetary enforcement assessment shall be no greater than 10 million dollars (U.S.) or its equivalent in the currency of the Party complained against.
2. In determining the amount of the assessment, the panel shall take into account:
 - (a) the pervasiveness and duration of the Party's persistent pattern of failure to effectively enforce its environmental law;
 - (b) the level of enforcement that could reasonably be expected of a Party given its resource constraints;
 - (c) the reasons, if any, provided by the Party for not fully implementing an action plan;
 - (d) efforts made by the Party to begin remedying the pattern of non-enforcement after the final report of the panel; and
 - (e) any other relevant factors.
3. All monetary enforcement assessments shall be paid in the currency of the Party complained against into a fund established in the name of the Commission by the Council and shall be expended at the direction of the Council to improve or enhance the environment or environmental law enforcement in the Party complained against, consistent with its law.

ANNEX 41

EXTENT OF OBLIGATIONS

1. On the date of signature of this Agreement, or of the exchange of written notification under Article 46, Canada shall set out in a declaration a list of any provinces for which Canada is to be bound in respect of matters within their jurisdiction. The declaration shall be effective on delivery to Chile, and shall carry no implication as to the internal distribution of powers within Canada. Canada shall notify Chile six months in advance of any modification to its declaration.
2. When considering whether to instruct the responsible National Secretariat to prepare a factual record pursuant to Article 15, the Council shall take into account whether the submission was made by a non-governmental organization or enterprise incorporated or otherwise organized under the laws of a province included in the declaration made under paragraph 1.
3. Canada may not request consultations under Article 22 or a Council meeting under Article 23 or request the establishment of a panel primarily for the benefit of any government of a province not included in the declaration made under paragraph 1.
4. Canada may not request a Council meeting under Article 23, or request the establishment of a panel concerning whether there has been a persistent pattern of failure by Chile to effectively enforce its environmental law, unless Canada states in writing that the matter would be under federal jurisdiction if it were to arise within the territory of Canada, or:
 - (a) Canada states in writing that the matter would be under provincial jurisdiction if it were to arise within the territory of Canada; and
 - (b) the provinces included in the declaration account for at least 55 percent of Canada's Gross Domestic Product (GDP) for the most recent year in which data are available; and
 - (c) where the matter concerns a specific industry or sector, at least 55 percent of total Canadian production in that industry or sector is accounted for by the provinces included in the declaration for the most recent year in which data are available.
5. Chile may not request a Council meeting under Article 23 or request the establishment of a panel concerning whether there has been a persistent failure to effectively enforce an environmental law of a province unless that province is included in the declaration made under paragraph 1 and the requirements of subparagraphs 4(b) and (c) have been met.
6. Canada shall, no later than the date on which an arbitral panel is convened pursuant to Article 24 respecting a matter within the scope of paragraph 5 of this Annex, notify Chile in writing of whether any monetary enforcement assessment or action plan imposed by a panel under Article 33(4) or 33(5) against Canada shall be addressed to Her Majesty in right of Canada or Her Majesty in right of the province concerned.
7. Canada shall use its best efforts to make this Agreement applicable to as many of its provinces as possible.
8. Two years after the date of entry into force of this Agreement, the Council shall review the operation of this Annex and, in particular, shall consider whether the Parties should amend the thresholds established in paragraph 4.

ANNEX 44.1

COUNTRY-SPECIFIC DEFINITIONS

For purposes of this Agreement:

"**citizen**" means:

- (a) with respect to Canada, a natural person who is a citizen of Canada under the *Citizenship Act*, R.S.C. 1985, c. C-29, as amended from time to time or under any successor legislation; and
- (b) with respect to Chile, a Chilean as defined in Article 10 of the Political Constitution of the Republic of Chile (*Constitución Política de la República de Chile*); and

"**territory**" means:

- (a) with respect to Canada, the territory to which its customs laws apply, including any areas beyond the territorial seas of Canada within which, in accordance with international law and its domestic law, Canada may exercise rights with respect to the seabed and subsoil and their natural resources; and
- (b) with respect to Chile, the land, maritime, and air space under its sovereignty, and the exclusive economic zone and the continental shelf over which it exercises sovereign rights and jurisdiction in accordance with international law and its domestic law.

ANNEX 44.2

DEFINITION OF ENVIRONMENTAL LAW IN CHILE

For purposes of Article 14 (1) and Part V of the Agreement and with respect to Chile only, the definition of "environmental law" in Article 44(2) will be subject to Appendices 44B.1, 44B.2 and 44B.3 until June 2nd, 1999.

APPENDIX 44B.1

The definition of "environmental law" shall apply to the following, including any subsequent modification thereof, immediately upon the entry into force of the Agreement, including any other statute, regulation or provision thereof in effect after March 9, 1994.

a. GENERAL LEGISLATION (1)

Constitution and Organic Constitutional Laws

- 1.a.1 Political Constitution of the Republic (*Constitución Política de la República*) Official Journal 24/10/80
- 1.a.2 Law No. 18.248, Mining Code (*Ley N° 18.248, Código de Minería*) Official Journal 14/10/83
- 1.a.3 Law No. 18,695 respecting the organic constitutional law of municipalities (*Ley N° 18.695, Orgánica Constitucional de Municipalidades*) Official Journal 31/03/88
- 1.a.4 Law No. 19,175 respecting the organic constitutional law of regional government and administration (*Ley N° 19.175, Orgánica Constitucional sobre Gobierno y Administración Regional*) Official Journal 11/11/92

Laws and Treaties

- 1.a.5 General Urban Planning and Construction Act, approved by Statutory Decree No. 458, 1976, Ministry of Housing and Urban Planning (*Ley General de Urbanismo y Construcciones, aprobada mediante el Decreto con Fuerza de Ley N° 458, 1976, del Ministerio de Vivienda y Urbanismo*) Official Journal 13/04/76
- 1.a.6 Supreme Decree No. 447, 1991, Ministry of Foreign Affairs, promulgating the framework agreement signed in Rome in 1990 between the Government of the Republic of Chile and the European Economic Community (*Acuerdo Marco entre el Gobierno de la República de Chile y la Comunidad Económica Europea, suscrito en Roma, 1990, promulgado por Decreto Supremo N° 447, 1991, del Ministerio de Relaciones Exteriores*) Official Journal 29/05/91
- 1.a.7 Law No. 19,300, Fundamental Environmental Law (*Ley N° 19.300 de Bases del Medio Ambiente*) Official Journal 09/03/94

Supreme Decrees

Ministry of Housing and Urban Planning

- 1.a.8 Supreme Decree No. 47, 1992, Ministry of Housing and Urban Planning, setting out the revised General Ordinance of the General Urban Planning and Construction Act (*Decreto Supremo N° 47, 1992, del Ministerio de Vivienda y Urbanismo, que fija el Nuevo Texto de la Ordenanza General de la Ley General de Urbanismo y Construcciones*) Official Journal 19/05/92

Ministry of the Secretary General of the Presidency

- 1.a.9 Supreme Decree No. 86, 1995, Ministry of the Secretary General of the Presidency, Regulation on the Advisory Board of the National Environmental Commission and the Regional Environmental Commissions (*Decreto Supremo N° 86, 1995, del Ministerio Secretaría General de la Presidencia, Reglamento del Consejo Consultivo de la Comisión Nacional del Medio Ambiente y de las Comisiones Regionales del Medio Ambiente*) Official Journal 26/10/95
- 1.a.10 Supreme Decree No. 93, 1995, Ministry of the Secretary General of the Presidency, Regulation regarding the issuance of environmental quality standards (*Decreto Supremo N° 93, 1995, del Ministerio Secretaría General de la Presidencia, Reglamento para la Dictación de Normas de Calidad Ambiental*) Official Journal 26/10/95
- 1.a.11 Supreme Decree No. 94, 1995, Ministry of the Secretary General of the Presidency, Regulation establishing the procedure and stages for preparing prevention and decontamination plans (*Decreto Supremo N° 94, 1995, del Ministerio Secretaría General de la Presidencia, Reglamento que Fija el Procedimiento y Etapas para establecer Planes de Prevención y de Descontaminación*) Official Journal 26/10/95

b. WATER (1)

Laws and Treaties

- 1.b.1 International Convention for the Prevention of Pollution of the Sea by Oil, 1954, amended in 1962 and 1969, and an annex on the hydrocarbons register enacted under Supreme Decree No. 474, 1977, Ministry of Foreign Affairs (*Convenio Internacional para Prevenir la Contaminación de las Aguas del Mar por Hidrocarburos, de 1954, con sus enmiendas de 1962 y 1969 y un anexo sobre Libro de Registro de Hidrocarburos, promulgado mediante el Decreto Supremo N° 474, 1977, del Ministerio de Relaciones Exteriores*) Official Journal 06/10/77
- 1.b.2 International Convention on Civil Liability for Oil Pollution Damage, with 1969 annex, enacted under Supreme Decree No. 475, 1977, Ministry of Foreign Affairs (*Convenio Internacional sobre Responsabilidad Civil por Daños Causados por la Contaminación de las Aguas del Mar por Hidrocarburos, con su Anexo de 1969, promulgado por el Decreto Supremo N° 475, 1977, del Ministerio de Relaciones Exteriores*) Official Journal 08/10/77
- 1.b.3 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, with Annexes I, II and III, 1972, enacted under Supreme Decree No. 476, 1977, Ministry of Foreign Affairs (*Convenio sobre Prevención de la Contaminación del Mar por Vertimiento de Desechos y otras materias, con sus anexos I, II y III del año 1972, promulgado mediante Decreto Supremo N° 476, 1977, del Ministerio de Relaciones Exteriores*) Official Journal 11/10/77
- 1.b.4 Decree Law No. 2222, 1978, Navigation Act (*Decreto Ley N° 2.222, 1978, Ley de Navegación*) Official Journal 31/05/78
- 1.b.5 Convention for the Protection of the Marine Environment and Coastal Area of the Southeast Pacific, enacted by Supreme Decree No. 296, 1986, Ministry of Foreign Affairs (*Convenio para la Protección del Medio Ambiente y la Zona Costera del Pacífico Sudeste, promulgado mediante el Decreto Supremo N° 296, 1986, del Ministerio de Relaciones Exteriores*) Official Journal 14/06/86
- 1.b.6 Protocol for the Protection of the Southeast Pacific from Pollution caused by Land-based Sources, and its annexes, enacted under Supreme Decree

No. 295, Ministry of Foreign Affairs (*Protocolo para la Protección del Pacífico Sudeste contra la Contaminación Proveniente de Fuentes Terrestres y sus anexos, promulgado mediante el Decreto Supremo N° 295, del Ministerio de Relaciones Exteriores*) Official Journal 19/06/86

- 1.b.7 Agreement on Regional Cooperation in Combatting Pollution of the Southeast Pacific by Oil and Other Harmful Substances in Cases of Emergency, enacted under Supreme Decree No. 425, 1986, Ministry of Foreign Affairs (*Acuerdo sobre la Cooperación Regional para el Combate contra la Contaminación del Pacífico Sudeste por Hidrocarburos y Otras Sustancias Nocivas en Casos de Emergencia, promulgado por el Decreto Supremo N° 425, 1986, del Ministerio de Relaciones Exteriores*) Official Journal 11/08/86
- 1.b.8 Complementary Protocol to the Agreement on Regional Cooperation in Combatting Pollution of the Southeast Pacific by Oil and Other Harmful Substances in Cases of Emergency, enacted under Supreme Decree No. 656, 1986, Ministry of Foreign Affairs (*Protocolo Complementario del Acuerdo sobre la Cooperación Regional para el Combate contra la Contaminación del Pacífico Sudeste por Hidrocarburos y Otras Sustancias Nocivas en Casos de Emergencias, promulgado por el Decreto Supremo N° 656, 1986, del Ministerio de Relaciones Exteriores*) Official Journal 24/11/86

Supreme Decrees

Ministry of National Defence

- 1.b.9 Supreme Decree No. 1, 1992, Ministry of National Defence (Navy), Water Pollution Regulations (*Decreto Supremo N° 1, 1992, del Ministerio de Defensa Nacional (Marina), Reglamento de la Contaminación Acuática*) Official Journal 18/11/92

Ministry of Public Works

- 1.b.10 Supreme Decree No. 867, 1978, Ministry of Public Works, setting forth Chilean Standard NCh 1333 on quality requirements for water for various uses (*Decreto Supremo N° 867, 1978, del Ministerio de Obras Públicas, que fija la norma chilena NCh 1.333, sobre requisitos de calidad del agua para diferentes usos*) Official Journal 05/07/78

Ministry of Health

- 1.b.11 Supreme Decree No. 236, 1926, former Ministry of Health, Welfare, Social Security and Labor, establishing general regulations for household sewers (*Decreto Supremo N° 236, 1926, del ex Ministerio de Higiene, Asistencia, Previsión Social y Trabajo, que establece el Reglamento General de Alcantarillados Particulares*) Official Journal 23/05/26
- 1.b.12 Supreme Decree No. 288, 1969, Ministry of Health, approving regulations on primary treatment system for waste water, using prefabricated septic tanks (*Decreto Supremo N° 288, 1969, del Ministerio de Salud, que aprobó el Reglamento sobre Sistema de Tratamiento Primario de Aguas Servidas Mediante Estanques Sépticos Pre-fabricados*) Official Journal 31/05/69
- 1.b.13 Supreme Decree No. 263, 1985, Ministry of Health, establishing sanitary regulations for the sea, the air and border areas (*Decreto Supremo N° 263, 1985, del Ministerio de Salud, que establece el Reglamento de Sanidad Marítima, Aérea y de las Fronteras*) Official Journal 24/02/86

Resolutions

- 1.b.14 Resolution No. 12,600/322 VRS/94, DIRECTEMAR, regulating dumping of liquid waste into waters under DIRECTEMAR's jurisdiction (*Resolución N° 12.600/322 VRS/94 de DIRECTEMAR, que regula las descargas de residuos líquidos a los cuerpos de agua bajo la jurisdicción de la DIRECTEMAR*) unpublished
- 1.b.15 Resolution No. 12,600/323 VRS/94, DIRECTEMAR, establishing terms of reference for aquatic environmental impact studies on dumping of liquid waste in bodies of water under DIRECTEMAR's jurisdiction (*Resolución N° 12.600/323 VRS/94 de DIRECTEMAR, que establece términos de referencia para la realización de estudios de evaluación de impacto ambiental acuático para descarga de residuos líquidos a los cuerpos de agua bajo la jurisdicción de la DIRECTEMAR*) unpublished
- 1.b.16 Resolution No. 12,600/324 VRS/94, DIRECTEMAR, establishing terms of reference for environmental impact studies on projects to dump dredging waste in waters under DIRECTEMAR's jurisdiction (*Resolución N° 12.600/324 VRS/94 de DIRECTEMAR, que establece términos de referencia para la realización de estudios de evaluación de impacto ambiental para proyectos de vertimiento de desechos de dragados en el medio ambiente acuático bajo la jurisdicción de la DIRECTEMAR*) unpublished
- 1.b.17 Resolution No. 12,600/325 VRS/94, DIRECTEMAR, establishing terms of reference for aquatic environmental impact studies for ports and marine terminals under DIRECTEMAR's jurisdiction (*Resolución N° 12.600/325 VRS/94 de DIRECTEMAR, que establece términos de referencia para la realización de estudios de evaluación de impacto ambiental acuático para puertos y terminales marítimos bajo la jurisdicción de la DIRECTEMAR*) unpublished
- 1.b.18 Resolution No. 186, 1996, Waters Branch, Ministry of Public Works, establishing standards for exploration and exploitation of underground waters (*Resolución N° 186, 1996, de la Dirección General de Aguas del Ministerio de Obras Públicas, que establece las normas sobre exploración y explotación de aguas subterráneas*) Official Journal 15/05/96

c. AIR (1)

Laws and Treaties

- 1.c.1 Law No. 18,290 on Traffic (*Ley N° 18.290, Ley del Tránsito*) Official Journal 07/02/92
- 1.c.2 Law No. 18,696 on Transportation of Passengers within Chile (*Ley N° 18.696, sobre Transporte Nacional de Pasajeros*) Official Journal 31/05/88
- 1.c.3 Vienna Convention for the Protection of the Ozone Layer and its annexes I and II, adopted on March 22, 1985 and approved by Supreme Decree No. 719, 1990, Ministry of Foreign Affairs, and the Montreal Protocol, 1987, enacted by Supreme Decree No. 238, 1990, Ministry of Foreign Affairs (*Convenio de Viena para la Protección de la Capa de Ozono y sus anexos I y II, adoptado el 22 de marzo de 1985, aprobado por Decreto Supremo N° 719, 1990, del Ministerio de Relaciones Exteriores, y su Protocolo de Montreal de 1987, promulgado por Decreto Supremo N° 238, 1990, del Ministerio de Relaciones Exteriores*) S.D. No 719, Official Journal 08/03/90, S.D. No 238, Official Journal 28/04/90

Supreme Decrees

Ministry of Agriculture

- 1.c.4 Supreme Decree No. 28, 1991, Ministry of Agriculture, establishing clean-up plan for Chagres foundry (*Decreto Supremo N° 28, 1991, del Ministerio de Agricultura, que establece Plan de Descontaminación para la fundición de Chagres*) Official Journal 05/06/91
- 1.c.5 Supreme Decree No. 4, 1992, Ministry of Agriculture, regulating particulate air pollution in the Huasco River Valley (*Decreto Supremo N° 4, 1992, del Ministerio de Agricultura, que regula la contaminación atmosférica de origen particulado en el Valle del Río Huasco*) Official Journal 26/05/92

Ministry of Mines

- 1.c.6 Supreme Decree No. 252, 1992, Ministry of Mines, establishing clean-up plan for Ventanas foundry and Chilgener thermo-electric plant (*Decreto Supremo N° 252, 1992, del Ministerio de Minería, que establece Plan de Descontaminación para la fundición de Ventanas y Central Termoelectrónica de Chilgener*) Official Journal 02/03/93
- 1.c.7 Supreme Decree No. 132, 1993, Ministry of Mines, establishing clean-up plan for Chuquicamata foundry (*Decreto Supremo N° 132, 1993, del Ministerio de Minería, que establece Plan de Descontaminación para la fundición de Chuquicamata*) Official Journal 09/01/95

Ministry of Health

- 1.c.8 Supreme Decree No. 32, 1990, Ministry of Health, approving rules of operation for sources of air pollution in emergency air pollution situations in the Metropolitan Region (*Decreto Supremo N° 32, 1990, del Ministerio de Salud, que aprueba el reglamento de funcionamiento de fuentes emisoras de contaminantes atmosféricos que indica en situaciones de emergencia de contaminación atmosférica para la Región Metropolitana*) Official Journal 24/05/90
- 1.c.9 Supreme Decree No. 185, 1991, Ministry of Health, specifying primary and secondary environmental quality standards for sulfur dioxide and particulate matter and establishing measurement procedures (*Decreto Supremo N° 185, 1991, del Ministerio de Salud, que fija normas de calidad ambiental primarias y secundarias, para anhídrido sulfuroso y material particulado y establece procedimientos de medición*) Official Journal 16/01/92

- 1.c.10 Supreme Decree No. 811, 1993, Ministry of Health, prohibiting operation of fireplaces for heating unless equipped with double chamber or mechanisms to catch particles in homes and establishments in the Metropolitan Region (*Decreto Supremo N° 811, 1993, del Ministerio de Salud, que prohíbe la operación de chimeneas para calefacción que no estén provistas de doble cámara o mecanismos de captación de partículas en viviendas y establecimientos de la Región Metropolitana*) Official Journal 24/06/93
- 1.c.11 Supreme Decree No. 2467, 1994, Ministry of Health, approving regulations for laboratories that measure and analyze atmospheric emissions from stationary sources (*Decreto Supremo N° 2.467, 1994, del Ministerio de Salud, que aprueba el Reglamento de laboratorios de medición y análisis de emisiones atmosféricas provenientes de fuentes estacionarias*) Official Journal 18/02/94

Ministry of Transport and Telecommunications

- 1.c.12 Supreme Decree No. 167, 1984, Ministry of Transport and Telecommunications, on pollution control for roadworthiness check of motor vehicles (*Decreto Supremo N° 167, 1984, del Ministerio de Transportes y Telecomunicaciones, sobre control de emisión de contaminantes en la revisión técnica de los vehículos motorizados*) Official Journal 04/01/85
- 1.c.13 Supreme Decree No. 75, 1987, Ministry of Transport and Telecommunications, on air pollution caused by transportation of dry commodities and odorous substances (*Decreto Supremo N° 75, 1987, del Ministerio de Transportes y Telecomunicaciones, sobre la contaminación atmosférica causada por el transporte de áridos y sustancias odoríferas*) Official Journal 07/07/87
- 1.c.14 Supreme Decree No. 24, 1989, Ministry of Transport and Telecommunications, on roadworthiness check and pollution control of buses and taxis (*Decreto Supremo N° 24, 1989, del Ministerio de Transportes y Telecomunicaciones, sobre revisión técnica y verificación de la emisión de contaminantes de buses y taxibuses*) Official Journal 01/03/89
- 1.c.15 Supreme Decree No. 94, 1991, Ministry of Transport and Telecommunications, on transportation of forest resources (*Decreto Supremo N° 94, 1991, del Ministerio de Transportes y Telecomunicaciones, sobre transporte de recursos forestales*) Official Journal 08/06/91
- 1.c.16 Supreme Decree No. 145, 1991, Ministry of Transport and Telecommunications, regulating the operation of public transit in the Metropolitan Region (*Decreto Supremo N° 145, 1991, del Ministerio de Transportes y Telecomunicaciones, que regula el funcionamiento de la locomoción colectiva en la Región Metropolitana*) Official Journal 16/08/91
- 1.c.17 Supreme Decree No. 211, 1991, Ministry of Transport and Telecommunications, regulating air pollution caused by light motor vehicles (*Decreto Supremo N° 211, 1991, del Ministerio de Transportes y Telecomunicaciones, que regula la contaminación atmosférica causada por vehículos motorizados livianos*) Official Journal 11/12/91
- 1.c.18 Supreme Decree No. 116, 1992, Ministry of Transport and Telecommunications, prohibiting operation of public transit vehicles that cause air pollution (*Decreto Supremo N° 116, 1992, del Ministerio de Transportes y Telecomunicaciones, que prohíbe operar vehículos de locomoción colectiva que causan contaminación atmosférica*) Official Journal 26/06/92
- 1.c.19 Supreme Decree No. 212, 1992, Ministry of Transport and

Telecommunications, regulating public transport of passengers, establishing roadworthiness checks and emission standards in bus terminals (*Decreto Supremo N° 212, 1992, del Ministerio de Transportes y Telecomunicaciones, que regula el transporte público de pasajeros, establece revisiones técnicas y normas de emisión en terminales de buses*) Official Journal 21/11/92

- 1.c.20 Supreme Decree No. 82, 1993, Ministry of Transport and Telecommunications, establishing emission standards for vehicles to be used in public transit services (*Decreto Supremo N° 82, 1993, del Ministerio de Transportes y Telecomunicaciones, que establece normas de emisión para vehículos destinados a prestación de servicios de locomoción colectiva*) Official Journal 24/06/93
- 1.c.21 Supreme Decree No. 4, 1994, Ministry of Transport and Telecommunications, establishing pollution emission standards for motor vehicles and specifying pollution control procedures (*Decreto Supremo N° 4, 1994, del Ministerio de Transportes y Telecomunicaciones, que establece normas de emisión de contaminantes aplicables a los vehículos motorizados y fija los procedimientos para su control*) Official Journal 29/01/94
- 1.c.22 Supreme Decree No. 55, 1994, Ministry of Transport and Telecommunications, establishing emission standards for heavy motor vehicles (*Decreto Supremo N° 55, 1994, del Ministerio de Transportes y Telecomunicaciones, que establece normas de emisión aplicables a vehículos motorizados pesados*) Official Journal 16/04/94
- 1.c.23 Supreme Decree No. 54, 1994, Ministry of Transport and Telecommunications, establishing emission standards for medium-sized motor vehicles (*Decreto Supremo N° 54, del Ministerio de Transportes y Telecomunicaciones, que establece normas de emisión aplicables a vehículos motorizados medianos*) Official Journal 03/05/94

Ministry of the Secretary General of the Presidency

- 1.c.24 Supreme Decree No. 179, 1994, Ministry of the Secretary General of the Presidency, declaring the area around Caletones foundry to be saturated with sulfur dioxide and particulates (*Decreto Supremo N° 179, 1994, del Ministerio Secretaría General de la Presidencia, que declara zona saturada por anhídrido sulfuroso y material particulado al área circundante a la fundición Caletones*) Official Journal 05/06/91
- 1.c.25 Supreme Decree No. 180, 1994, Ministry of the Secretary General of the Presidency, establishing clean-up plan for Paipote foundry (*Decreto Supremo N° 180, 1994, del Ministerio Secretaría General de la Presidencia, que establece Plan de Descontaminación para la fundición de Paipote*) Official Journal 09/01/95

Resolutions

- 1.c.26 Resolution No. 1215, 1978, Ministry of Health, establishing standards for prevention, inspection and control of air pollution (*Resolución N° 1.215, 1978, del Ministerio de Salud, que establece normas sobre prevención, fiscalización y control de contaminación atmosférica*) promulgated on 22/06/78
- 1.c.27 Resolution No. 369, 1988, Ministry of Health, establishing air quality index to determine level of air pollution in the Metropolitan Region (*Resolución N° 369, 1988, del Ministerio de Salud, que establece el índice de calidad del aire para determinar el nivel de contaminación atmosférica de la Región Metropolitana*) Official Journal 26/04/88

d. NOISE (1)

Laws

- 1.d.1 Law No. 18,290, Traffic Act (*Ley N° 18.290, Ley del Tránsito*) Official Journal 07/02/84

Supreme Decrees

- 1.d.2 Supreme Decree No. 122, 1991, Ministry of Transport and Telecommunications, specifying size and operating requirements for vehicles that provide public urban transit services (*Decreto Supremo N° 122, 1991, del Ministerio de Transporte y Telecomunicaciones, que fija los requisitos dimensionales y funcionales a vehículos que presten servicios de locomoción colectiva urbana*) Official Journal 19/07/91

e. TOXIC SUBSTANCES AND HAZARDOUS WASTES (1)

Laws

- 1.e.1 Law No. 18,164, establishing customs standards and modifying legislation on toxic and hazardous substances (*Ley N° 18.164, que establece Normas de Carácter Aduanero y modifica Legislación Pertinente, respecto de sustancias tóxicas y peligrosas para la Salud*) Official Journal 17/09/82
- 1.e.2 Statutory Decree No. 1, 1989, Ministry of Health, specifying that explicit permission from health authorities is required to dispose of waste (*Decreto con Fuerza de Ley N° 1, 1989, del Ministerio de Salud, que dispone que requieren de autorización sanitaria expresa, la disposición de residuos*) Official Journal 21/02/90

Supreme Decrees

Ministry of National Defence

- 1.e.3 Supreme Decree No. 777, 1983, Ministry of National Defence, approving Chilean regulations to implement the International Marine Code on Hazardous Goods (*Decreto Supremo N° 777, 1983, del Ministerio de Defensa Nacional, que aprueba el Reglamento de la República para el Código Marítimo Internacional de Mercaderías Peligrosas*) Official Journal 24/10/78
- 1.e.4 Supreme Decree No. 746, 1989, Ministry of National Defence (Air Force), on air transport of hazardous goods (*Decreto Supremo N° 746, 1989, del Ministerio de Defensa Nacional (Aviación), sobre transporte de mercaderías peligrosas por vía aérea*) Official Journal 19/02/90

Ministry of Economic Affairs, Development and Reconstruction

- 1.e.5 Supreme Decree No. 278, 1982, Ministry of Economic Affairs, approving regulations on the safe storage, refining, transport and distribution of liquid petroleum-based fuels (*Decreto Supremo N° 278, 1982, del Ministerio de Economía, que aprueba el Reglamento de seguridad para el almacenamiento, refinación, transporte y expendio de combustibles líquidos derivados del petróleo*) Official Journal 09/02/83

Ministry of Mines

- 1.e.6 Supreme Decree No. 86, 1970, Ministry of Mines, regulations for the

construction and operation of sludge reservoirs (*Decreto Supremo N° 86, 1970, del Ministerio de Minería, Reglamento de construcción y operación de Tranques de Relave*) Official Journal 13/08/70

- 1.e.7 Supreme Decree No. 12, 1985, Ministry of Mines, on transport of radioactive materials (*Decreto Supremo N° 12, 1985, del Ministerio de Minería, sobre transporte de materiales radioactivos*) Official Journal 10/06/85

Ministry of Transport and Telecommunications

- 1.e.8 Supreme Decree No. 298, 1994, Ministry of Transport and Telecommunications, on transport of hazardous goods on public thoroughfares (*Decreto Supremo N° 298, 1994, del Ministerio de Transporte y Telecomunicaciones, sobre transporte de cargas peligrosas por calles y caminos*) Official Journal 11/02/95

Resolutions

- 1.e.9 Resolution No. 5081, 1993, Environmental Health Service of the Metropolitan Region, Ministry of Health, on reporting and monitoring solid industrial wastes (RISES) (*Resolución N° 5.081, 1993, del Servicio de Salud del Ambiente de la Región Metropolitana del Ministerio de Salud, sobre declaración y seguimiento de Residuos Industriales Sólidos (RISES)*) Official Journal 18/03/93

f. WILDLIFE AND PROTECTED AREAS (1)

Laws and Treaties

- 1.f.1 Statutory Decree No. 265, 1931, Ministry of Agriculture, Forest Law (*Decreto con Fuerza de Ley N° 265, 1931, del Ministerio de Agricultura, Ley de Bosques*) Official Journal 29/05/31
- 1.f.2 Statutory Decree No. 25, 1963, Ministry of Agriculture, prohibiting hunting of guaniferas birds (*Decreto con Fuerza de Ley N° 25, 1963, del Ministerio de Agricultura, que prohíbe la caza de aves guaníferas*) Official Journal 04/04/63
- 1.f.3 Law No. 17,288 on national monuments (*Ley N° 17.288, sobre Monumentos Nacionales*) Official Journal 04/02/70
- 1.f.4 Convention on International Trade in Endangered Species (CITES) of Wild Flora and Fauna, adopted in Washington on March 3, 1973, enacted by Supreme Decree No. 141, 1975, Ministry of Foreign Affairs (*Convención sobre Comercio Internacional de especies amenazadas de flora y fauna silvestres, adoptada en Washington el 3 de marzo de 1973, promulgada por Decreto Supremo N° 141, 1975, del Ministerio de Relaciones Exteriores*) Official Journal 25/03/75
- 1.f.5 International Convention for the Regulation of Whaling and annex, signed in Washington, D.C. on December 2, 1946, enacted by Supreme Decree No. 489, 1979, Ministry of Foreign Affairs (*Convención Internacional para la Regulación de la Caza de Ballenas y su Anexo, suscrito en Washington, D.C., el 2 de diciembre de 1946, promulgada mediante el Decreto Supremo N° 489, 1979, del Ministerio de Relaciones Exteriores*) Official Journal 21/09/79
- 1.f.6 Convention on World Cultural and Natural Heritage, enacted by Supreme Decree No. 259, 1980, Ministry of Foreign Affairs (*Convención sobre el Patrimonio Mundial Cultural y Natural, promulgada por Decreto Supremo N° 259, 1980, del Ministerio de Relaciones Exteriores*) Official Journal 12/05/80

- 1.f.7 Vicuña conservation convention, enacted by Supreme Decree No. 212, 1981, Ministry of Foreign Affairs (*Convenio para la conservación de la Vicuña, promulgado por Decreto Supremo N° 212, 1981, del Ministerio de Relaciones Exteriores*) Official Journal 19/05/81
- 1.f.8 Law No. 19,473, Hunting Act (*Ley N° 19.473, Ley de Caza*) Official Journal 27/09/96

Supreme Decrees

Ministry of Agriculture

- 1.f.9 Supreme Decree No. 268, 1955, Ministry of Agriculture, prohibiting hunting of wild birds during nesting season (*Decreto Supremo N° 268, 1955, del Ministerio de Agricultura, que prohíbe la caza de aves silvestres durante su anidación*) Official Journal 06/05/55
- 1.f.10 Supreme Decree No. 652, 1958, Ministry of Agriculture, creating Laja Lagoon National Park (*Decreto Supremo N° 652, 1958, del Ministerio de Agricultura, que crea Parque Nacional Laguna del Laja*) Official Journal 09/08/58
- 1.f.11 Supreme Decree No. 475, 1959, Ministry of Agriculture, creating San Rafael Lagoon National Park (*Decreto Supremo N° 475, 1959, del Ministerio de Agricultura, que crea Parque Nacional Laguna San Rafael*) Official Journal 28/07/59
- 1.f.12 Supreme Decree No. 1050, 1962, Ministry of Agriculture, creating Torres del Paine National Park (*Decreto Supremo N° 1.050, 1962, del Ministerio de Agricultura, que crea Parque Nacional Torres del Paine*) Official Journal 18/01/62
- 1.f.13 Supreme Decree No. 80, 1965, Ministry of Agriculture, creating Alberto de Agostini National Park (*Decreto Supremo N° 80, 1965, del Ministerio de Agricultura, que crea Parque Nacional Alberto de Agostini*) Official Journal 24/02/65
- 1.f.14 Supreme Decree No. 4, 1967, Ministry of Agriculture, creating Isluga Volcano National Park (*Decreto Supremo N° 4, 1967, del Ministerio de Agricultura, que crea Parque Nacional Volcán Isluga*) Official Journal 07/02/67
- 1.f.15 Supreme Decree No. 321, 1967, Ministry of Agriculture, creating Guamblin Island National Park (*Decreto Supremo N° 321, 1967, del Ministerio de Agricultura, que crea Parque Nacional Isla Guamblin*) Official Journal 03/07/67
- 1.f.16 Supreme Decree No. 322, 1967, Ministry of Agriculture, creating Simpson River National Park (*Decreto Supremo N° 322, 1967, del Ministerio de Agricultura, que crea Parque Nacional Río Simpson*) Official Journal 12/07/67
- 1.f.17 Supreme Decree No. 347, 1967, Ministry of Agriculture, creating Huerquehue National Park (*Decreto Supremo N° 347, 1967, del Ministerio de Agricultura, que crea Parque Nacional Huerquehue*) Official Journal 31/07/67
- 1.f.18 Supreme Decree No. 264, 1969, Ministry of Agriculture, creating Bernardo O'Higgins National Park (*Decreto Supremo N° 264, 1969, del Ministerio de Agricultura, que crea Parque Nacional Bernardo O'Higgins*) Official Journal 09/08/69
- 1.f.19 Supreme Decree No. 270, 1970, Ministry of Agriculture, creating Lauca

National Park (*Decreto Supremo N° 270, 1970, del Ministerio de Agricultura, que crea Parque Nacional Lauca*) Official Journal 29/08/70

- 1.f.20 Supreme Decree No. 271, 1970, Ministry of Agriculture, creating Conguillío National Park (*Decreto Supremo N° 271, 1970, del Ministerio de Agricultura, que crea Parque Nacional Conguillío*) Official Journal 29/08/70
- 1.f.21 Supreme Decree No. 378, 1970, Ministry of Agriculture, creating Paliatke National Park (*Decreto Supremo N° 378, 1970, del Ministerio de Agricultura, que crea Parque Nacional Paliatke*) Official Journal 06/11/70
- 1.f.22 Supreme Decree No. 129, 1971, Ministry of Agriculture, prohibiting the cutting, uprooting, transport, possession and trade of copihues (*Decreto Supremo N° 129, 1971, del Ministerio de Agricultura, que prohíbe corta, arranque, transporte, tenencia y comercio de copihues*) Official Journal 17/04/71
- 1.f.23 Supreme Decree No. 82, 1974, Ministry of Agriculture, prohibiting cutting of trees and bushes in Andes mountains and foothills in designated areas in the Province of Santiago (*Decreto Supremo N° 82, 1974, del Ministerio de Agricultura, que prohíbe la corta de árboles y arbustos en la zona precordillerana y cordillerana andina que señala de la provincia de Santiago*) Official Journal 03/07/74
- 1.f.24 Supreme Decree No. 162, 1974, Ministry of Agriculture, creating El Morado National Park (*Decreto Supremo N° 162, 1974, del Ministerio de Agricultura, que crea Parque Nacional El Morado*) Official Journal 10/08/74
- 1.f.25 Supreme Decree No. 490, 1977, Ministry of Agriculture, declaring the Alerce or Lahuén species of plant to be a natural monument (*Decreto Supremo N° 490, 1977, del Ministerio de Agricultura, que declara Monumento Natural a la especie vegetal "Alerce" or "Lahuén"*) Official Journal 05/09/77
- 1.f.26 Supreme Decree No. 354, 1981, Ministry of Agriculture, indefinitely prohibiting the hunting, transport, sale, possession and processing of red fox or large Chilean fox (*culpeo*), Andean mountain cat, Argentine mountain cat, *guiña*, scrubland cat and puma (*Decreto Supremo N° 354, 1981, del Ministerio de Agricultura, que prohíbe indefinidamente la caza, transporte, comercialización, posesión e industrialización de zorro rojo o culpeo, gato montés andino, gato montés argentino, guiña, gato de los pajonales y puma*) Official Journal 05/01/81
- 1.f.27 Supreme Decree No. 19, 1982, Ministry of Agriculture, creating Clarillo River National Reserve (*Decreto Supremo N° 19, 1982, del Ministerio de Agricultura, que crea Reserva Nacional Río Clarillo*) Official Journal 05/03/82
- 1.f.28 Supreme Decree No. 94, 1982, Ministry of Agriculture, creating Los Ruiles National Reserve (*Decreto Supremo N° 94, 1982, del Ministerio de Agricultura, que crea Reserva Nacional Los Ruiles*) Official Journal 26/08/82
- 1.f.29 Supreme Decree No. 160, 1982, Ministry of Agriculture, declaring Cinco Hermanas, Contulmo, Dos Lagunas, Laguna de Los Cisnes y Los Pingüinos to be natural monuments (*Decreto Supremo N° 160, 1982, del Ministerio de Agricultura, que declara Monumentos Naturales Cinco Hermanas, Contulmo, Dos Lagunas, Laguna de Los Cisnes y Los Pingüinos*) Official Journal 09/12/82
- 1.f.30 Supreme Decree No. 29, 1983, Ministry of Agriculture, declaring Salar de Surire a natural monument and creating Las Vicuñas National Reserve

(Decreto Supremo N° 29, 1983, del Ministerio de Agricultura, que declara Monumento Natural Salar de Surire y crea Reserva Nacional Las Vicuñas) Official Journal 12/05/83

- 1.f.31 Supreme Decree No. 301, 1983, Ministry of Agriculture, creating Magdalena Island National Park *(Decreto Supremo N° 301, 1983, del Ministerio de Agricultura, que crea Parque Nacional Isla Magdalena)* Official Journal 11/07/83
- 1.f.32 Supreme Decree No. 153, 1984, Ministry of Agriculture, creating Las Chinchillas National Reserve *(Decreto Supremo N° 153, 1984, del Ministerio de Agricultura, que crea Reserva Nacional Las Chinchillas)* Official Journal 22/02/84
- 1.f.33 Supreme Decree No. 127, 1986, Ministry of Agriculture, creating Los Cipreses River National Reserve *(Decreto Supremo N° 127, 1986, del Ministerio de Agricultura, que crea Reserva Nacional Río de Los Cipreses)* Official Journal 06/01/86
- 1.f.34 Supreme Decree No. 123, 1986, Ministry of Agriculture, declaring Pichasca a natural monument *(Decreto Supremo N° 123, 1986, del Ministerio de Agricultura, que declara monumento natural Pichasca)* Official Journal 11/03/86
- 1.f.35 Supreme Decree No. 128, 1986, Ministry of Agriculture, creating Torca Lagoon National Reserve *(Decreto Supremo N° 128, 1986, del Ministerio de Agricultura, que crea Reserva Nacional Laguna de Torca)* Official Journal 11/03/86
- 1.f.36 Supreme Decree No. 207, 1988, Ministry of Agriculture, creating Pampa del Tamarugal National Reserve *(Decreto Supremo N° 207, 1988, del Ministerio de Agricultura, que crea Reserva Nacional Pampa del Tamarugal)* Official Journal 11/04/88
- 1.f.37 Supreme Decree No. 70, 1988, Ministry of Agriculture, creating Mocha Island National Reserve *(Decreto Supremo N° 70, 1988, del Ministerio de Agricultura, que crea Reserva Nacional Isla Mocha)* Official Journal 13/07/88
- 1.f.38 Supreme Decree No. 71, 1988, Ministry of Agriculture, creating La Chimba National Reserve *(Decreto Supremo N° 71, 1988, del Ministerio de Agricultura, que crea Reserva Nacional La Chimba)* Official Journal 13/07/88
- 1.f.39 Supreme Decree No. 89, 1989, Ministry of Agriculture, declaring Cachagua Island a natural monument *(Decreto Supremo N° 89, 1989, del Ministerio de Agricultura, que declara monumento natural Isla Cachagua)* Official Journal 09/08/89
- 1.f.40 Supreme Decree No. 133, 1989, Ministry of Agriculture, creating La Campana National Park *(Decreto Supremo N° 133, 1989, del Ministerio de Agricultura, que crea Parque Nacional La Campana)* Official Journal 26/10/89
- 1.f.41 Supreme Decree No. 43, 1990, Ministry of Agriculture, declaring the *Araucaria araucana* a natural monument *(Decreto Supremo N° 43, 1990, del Ministerio de Agricultura, que declara monumento natural a la Araucaria Araucana)* Official Journal 03/04/94
- 1.f.42 Supreme Decree No. 51, 1990, Ministry of Agriculture, declaring La Portada a natural monument *(Decreto Supremo N° 51, 1990, del Ministerio de Agricultura, que declara monumento natural La Portada)* Official Journal 05/10/90
- 1.f.43 Supreme Decree No. 50, 1990, Ministry of Agriculture, creating Los

Flamencos National Reserve (*Decreto Supremo N° 50, 1990, del Ministerio de Agricultura, que crea Reserva Nacional Los Flamencos*) Official Journal 17/10/90

- 1.f.44 Supreme Decree No. 146, 1974, Ministry of Agriculture, prohibiting cutting of trees and bushes on land in the Province of Aysén (*Decreto Supremo N° 146, 1974, del Ministerio de Agricultura, que prohíbe la corta de árboles y arbustos que se encuentran situados dentro de los terrenos de la Provincia de Aysén*) Official Journal 18/01/91
- 1.f.45 Supreme Decree No. 56, 1991, Ministry of Agriculture, creating Galletué National Reserve (*Decreto Supremo N° 56, 1991, del Ministerio de Agricultura, que crea Reserva Nacional Galletué*) Official Journal 27/05/91
- 1.f.46 Supreme Decree No. 133, 1993, Ministry of Agriculture, Hunting Act Regulations (*Decreto Supremo N° 133, 1993, del Ministerio de Agricultura, Reglamento de la Ley de Caza*) Official Journal 09/03/93
- 1.f.47 Supreme Decree No. 41, 1996, Ministry of Agriculture, creating El Yali National Reserve (*Decreto Supremo N° 41, 1996, del Ministerio de Agricultura, que crea Reserva Nacional El Yali*) Official Journal 31/05/96
- 1.f.48 Supreme Decree No. 59, 1996, Ministry of Agriculture, creating Altos de Lircay National Reserve (*Decreto Supremo N° 59, 1996, del Ministerio de Agricultura, que crea Reserva Nacional Altos de Lircay*) Official Journal 24/06/96

Ministry of National Property

- 1.f.49 Supreme Decree No. 552, 1926, Ministry of Land and Colonization, creating Vicente Pérez Rosales National Park (*Decreto Supremo N° 552, 1926, del Ministerio de Tierra y Colonización, que crea Parque Nacional Vicente Pérez Rosales*) Promulgated on 17/08/26, unpublished
- 1.f.50 Supreme Decree No. 103, 1935, former Ministry of Lands and Colonization, creating Rapa Nui National Park, Juan Fernández Archipelago National Park and prohibiting cutting of tucuma palms, arboreal ferns and *toromiro* (*Decreto Supremo N° 103, 1935, del ex Ministerio de Tierras y Colonización, que crea parque Nacional Rapa Nui y Parque Nacional Archipiélago Juan Fernández y que prohíbe cortar la palma Chonta, Helechos Arbóreos y el Toromiro*) Official Journal 16/02/35
- 1.f.51 Supreme Decree No. 2489, 1935, Ministry of Land and Colonization, creating Tolhuaca National Park (*Decreto Supremo N° 2.489, 1935, del Ministerio de Tierra y Colonización, que crea Parque Nacional Tolhuaca*) Official Journal 31/10/35
- 1.f.52 Supreme Decree No. 15, 1939, Ministry of Land and Colonization, creating Nahuelbuta National Park (*Decreto Supremo N° 15, 1939, del Ministerio de Tierra y Colonización, que crea Parque Nacional Nahuelbuta*) Official Journal 06/03/39
- 1.f.53 Supreme Decree No. 374, 1941, Ministry of Land and Colonization, creating Puyehue National Park (*Decreto Supremo N° 374, 1941, del Ministerio de Tierra y Colonización, que crea Parque Nacional Puyehue*) Official Journal 31/05/41
- 1.f.54 Supreme Decree No. 339, 1941, Ministry of Land and Colonization, creating Fray Jorge Forest National Park (*Decreto Supremo N° 339, 1941, del Ministerio de Tierra y Colonización, que crea Parque Nacional Bosque Fray Jorge*)

Official Journal 20/06/41

- 1.f.55 Supreme Decree No. 995, 1945, Ministry of Land and Colonization, creating Cape Horn National Park (*Decreto Supremo N° 995, 1945, del Ministerio de Tierra y Colonización, que crea Parque Nacional Cabo de Hornos*) Official Journal 25/07/45
- 1.f.56 Supreme Decree No. 734, 1983, Ministry of National Property, creating Chiloé National Park (*Decreto Supremo N° 734, 1983, del Ministerio de Bienes Nacionales, que crea Parque Nacional Chiloé*) Official Journal 03/01/83
- 1.f.57 Supreme Decree No. 735, 1983, Ministry of National Property, creating Alerce Andino National Park (*Decreto Supremo N° 735, 1983, del Ministerio de Bienes Nacionales, que crea Parque Nacional Alerce Andino*) Official Journal 03/01/83
- 1.f.58 Supreme Decree No. 640, 1983, Ministry of National Property, creating Queulat National Park (*Decreto Supremo N° 640, 1983, del Ministerio de Bienes Nacionales, que crea Parque Nacional Queulat*) Official Journal 24/11/83
- 1.f.59 Supreme Decree No. 527, 1986, Ministry of National Property, creating Pan de Azúcar (Sugarloaf) National Park (*Decreto Supremo N° 527, 1986, del Ministerio de Bienes Nacionales, que crea Parque Nacional Pan de Azúcar*) Official Journal 06/05/86
- 1.f.60 Supreme Decree No. 19, 1987, Ministry of National Property, declaring the coastal larch (*alerce costero*) tree to be a natural monument (*Decreto Supremo N° 19, 1987, del Ministerio de Bienes Nacionales, que declara monumento natural Alerce Costero*) Official Journal 09/03/97
- 1.f.61 Supreme Decree No. 617, 1988, Ministry of National Property, declaring Cerro Ñielol a natural monument (*Decreto Supremo N° 617, 1988, del Ministerio de Bienes Nacionales, que declara monumento natural Cerro Ñielol*) Official Journal 09/02/88
- 1.f.62 Supreme Decree No. 429, 1988, Ministry of National Property, creating Ralco National Reserve (*Decreto Supremo N° 429, 1988, del Ministerio de Bienes Nacionales, que crea Reserva Nacional Ralco*) Official Journal 18/08/88
- 1.f.63 Supreme Decree No. 884, 1988, Ministry of National Property, creating Hornopirén National Park (*Decreto Supremo N° 884, 1988, del Ministerio de Bienes Nacionales, que crea Parque Nacional Hornopirén*) Official Journal 22/12/88
- 1.f.64 Supreme Decree No. 26, 1989, Ministry of National Property, creating Las Palmas de Cocalán National Park (*Decreto Supremo N° 26, 1989, del Ministerio de Bienes Nacionales, que crea Parque Nacional Las Palmas de Cocalán*) Official Journal 27/04/89
- 1.f.65 Supreme Decree No. 2236, 1991, Ministry of Land and Colonization, creating Villarrica National Park (*Decreto Supremo N° 2.236, 1991, del Ministerio de Tierra y Colonización, que crea Parque Nacional Villarrica*) Official Journal 09/01/91
- 1.f.66 Supreme Decree No. 89, 1996, Ministry of National Property, creating Radal Siete Tazas National Reserve (*Decreto Supremo N° 89, 1996, del Ministerio de Bienes Nacionales, que crea Reserva Nacional Radal Siete Tazas*) Official Journal 08/06/96

Ministry of Education

- 1.f.67 Supreme Decree No. 726, 1973, Ministry of Education, creating the Los Nogales Nature Sanctuary (*Decreto Supremo N° 726, 1973, del Ministerio de Educación, que crea Santuario de la Naturaleza Los Nogales*) Official Journal 13/08/73
- 1.f.68 Supreme Decree No. 937, 1973, Ministry of Education, creating the Fundo Yerba Loca Nature Sanctuary (*Decreto Supremo N° 937, 1973, del Ministerio de Educación, que crea Santuario de la Naturaleza Fundo Yerba Loca*) Official Journal 28/08/73
- 1.f.69 Supreme Decree No. 631, 1975, Ministry of Education, creating the Laguna El Peral Nature Sanctuary (*Decreto Supremo N° 631, 1975, del Ministerio de Educación, que crea Santuario de la Naturaleza Laguna El Peral*) Official Journal 08/09/75
- 1.f.70 Supreme Decree No. 680, 1975, Ministry of Education, creating the Laguna de Torca Nature Sanctuary (*Decreto Supremo N° 680, 1975, del Ministerio de Educación, que crea Santuario de la Naturaleza Laguna de Torca*) Official Journal 27/09/75
- 1.f.71 Supreme Decree No. 835, 1976, Ministry of Education, creating the Alerzales de Potrero Anay, Castro, Nature Sanctuary (*Decreto Supremo N° 835, 1976, del Ministerio de Educación, que crea Santuario de la Naturaleza Alerzales de Potrero Anay, de Castro*) Official Journal 02/10/76
- 1.f.72 Supreme Decree No. 556, 1976, Ministry of Education, creating nature sanctuaries for Sala y Gómez Island and the islets adjacent to Easter Island, for Quinta Normal Park and for Hualpén Peninsula (*Decreto Supremo N° 556, 1976, del Ministerio de Educación, que crea Santuario de la Naturaleza Isla de Sala y Gómez e Islotes adyacentes a Isla de Pascua, Parque Quinta Normal y Península de Hualpén*) Official Journal 14/02/78
- 1.f.73 Supreme Decree No. 48, 1978, Ministry of Education, creating Punta Peyuco Nature Sanctuary (*Decreto Supremo N° 48, 1978, del Ministerio de Educación, que crea Santuario de la Naturaleza Punta Peyuco*) Official Journal 21/07/78
- 1.f.74 Supreme Decree No. 622, 1978, Ministry of Education, creating Pájaros Niños (penguino) Islet Nature Sanctuary (*Decreto Supremo N° 622, 1978, del Ministerio de Educación, que crea Santuario de la Naturaleza Islote Pájaros Niños*) Official Journal 21/07/78
- 1.f.75 Supreme Decree No. 2, 1979, Ministry of Education, creating Cachagua Island Nature Sanctuary (*Decreto Supremo N° 2, 1979, del Ministerio de Educación, que crea Santuario de la Naturaleza Isla de Cachagua*) Official Journal 06/02/79
- 1.f.76 Supreme Decree No. 77, 1981, Ministry of Education, creating a nature sanctuary for the spherical granite rock outcroppings in the Rodillo area of Caldera (*Decreto Supremo N° 77, 1981, del Ministerio de Educación, que crea Santuario de la Naturaleza Afloraciones de rocas de Granito Orbicular en el sector Rodillo, de Caldera*) Official Journal 23/02/81
- 1.f.77 Supreme Decree No. 2734, 1981, Ministry of Education, creating the wetlands nature sanctuary around Valdivia (*Decreto Supremo N° 2.734, 1981, del Ministerio de Educación, que crea Santuario de la Naturaleza Zonas Húmedas cercanas a Valdivia*) Official Journal 04/07/81
- 1.f.78 Supreme Decree No. 772, 1982, Ministry of Education, creating the Peña Blanca Island and Peña Blanca Point Nature Sanctuary (*Decreto Supremo N°*

772, 1982, del Ministerio de Educación, que crea Santuario de la Naturaleza Islote Peña Blanca y Punta Peña Blanca) Official Journal 08/05/82

- 1.f.79 Supreme Decree No. 37, 1982, Ministry of Education, creating the Valle de la Luna Nature Sanctuary (*Decreto Supremo N° 37, 1982, del Ministerio de Educación, que crea Santuario de la Naturaleza Valle de la Luna*) Official Journal 10/02/82
- 1.f.80 Supreme Decree No. 481, 1990, Ministry of Education, creating the Roca Oceánica (Ocean Rock) Nature Sanctuary (*Decreto Supremo N° 481, 1990, del Ministerio de Educación, que crea Santuario de la Naturaleza Roca Oceánica*) Official Journal 20/05/91
- 1.f.81 Supreme Decree No. 484, 1990, Ministry of Education, establishing regulations pursuant to Law No. 17,288 (*Decreto Supremo N° 484, 1990, del Ministerio de Educación, que establece el Reglamento de la Ley N° 17.288*) Official Journal 02/04/91
- 1.f.82 Supreme Decree No. 544, 1992, Ministry of Education, declaring Lobería islands and Lobería Iglesia de Piedra de Cobquecura to be nature sanctuaries (*Decreto Supremo N° 544, 1992, del Ministerio de Educación, que declara santuario de la naturaleza los Islotes de Lobería y Lobería Iglesia de Piedra de Cobquecura*) Official Journal 29/10/92
- 1.f.83 Supreme Decree No. 480, 1995, Ministry of Education, creating the Animas Falls Nature Sanctuary (*Decreto Supremo N° 480, 1995, del Ministerio de Educación, que crea Santuario de la Naturaleza La Cascada de las Animas*) Official Journal 29/08/95

Ministry of Mines

- 1.f.84 Supreme Decree No. 4, 1990, Ministry of Mines, creating Pingüino de Humboldt National Reserve (*Decreto Supremo N° 4, 1990, del Ministerio de Minería, que crea Reserva Nacional Pingüino de Humboldt*) Official Journal 27/06/90

g. MISCELLANEOUS LEGISLATION (1)

Laws and Treaties

- 1.g.1 Nuclear Test Ban Convention to Prevent Radioactive Pollution, enacted by Supreme Decree No. 555, 1965, Ministry of Foreign Affairs (*Convenio de Proscripción de Pruebas Nucleares para Evitar la Contaminación Radioactiva, promulgado por Decreto Supremo N° 555, 1965, del Ministerio de Relaciones Exteriores*) Official Journal 04/09/65
- 1.g.2 Statutory Decree No. 725, Ministry of Health, Sanitary Code (Article 86), on prior authorization to operate radioactive facilities (*Decreto con Fuerza de Ley N° 725, de Ministerio de Salud, Código Sanitario (artículo 86), sobre autorización previa para funcionamiento de instalaciones radioactivas*) Official Journal 31/01/68
- 1.g.3 Law No. 18,302, Nuclear Safety Act (*Ley N° 18.302, Ley de Seguridad Nuclear*) Official Journal 02/05/84

Supreme Decrees

Ministry of Health

- 1.g.4 Supreme Decree No. 133, 1984, Ministry of Health, approving the regulations on licensing radioactive facilities or equipment generating ionizing radiation (*Decreto Supremo N° 133, 1984, del Ministerio de Salud, que aprueba el Reglamento sobre autorizaciones para instalaciones radioactivas o equipos generadores de radiaciones ionizantes*) Official Journal 23/08/84
- 1.g.5 Supreme Decree No. 3, 1985, Ministry of Health, approving the regulations on the radiological protection of radioactive facilities (*Decreto Supremo N° 3, 1985, del Ministerio de Salud, que aprueba el Reglamento de Protección Radiológica de Instalaciones Radioactivas*) Official Journal 25/04/85

APPENDIX 44B.2

The definition of "environmental law" shall apply to the following, including any subsequent modification thereof, six months after the entry into force of the Agreement.

a. GENERAL LEGISLATION (2)

Laws and Treaties

- 2.a.1 Law No. 18,378, on soil, forest and water conservation districts (*Ley N° 18.378, sobre distritos de conservación de suelos, bosques y aguas*) Official Journal 29/12/84
- 2.a.2 Environmental Treaty and Protocols between Chile and Argentina, signed in Buenos Aires in 1991 and enacted by Supreme Decree No. 67, 1993, Ministry of Foreign Affairs (*Tratado entre la República de Chile y la República de Argentina sobre Medio Ambiente, y sus Protocolos, suscritos en Buenos Aires en 1991, promulgados por Decreto Supremo N° 67, 1993, del Ministerio de Relaciones Exteriores*) Official Journal 14/04/93

b. AIR (2)

Supreme Decrees

Ministry of Health

- 2.b.1 Supreme Decree No. 4, 1992, Ministry of Health, establishing particulate emission standards for individual and grouped stationary sources (*Decreto Supremo N° 4, 1992, del Ministerio de Salud, que establece norma de emisión de material particulado a fuentes estacionarias puntuales y grupales*) Official Journal 02/03/92
- 2.b.2 Supreme Decree No. 1583, 1992, Ministry of Health, establishing a particulate emission standard for very large stationary sources in the Metropolitan Region (*Decreto Supremo N° 1.583, 1992, del Ministerio de Salud, que establece una norma de emisión de material particulado a megafuentes estacionarias de la Región Metropolitana*) Official Journal 26/04/93
- 2.b.3 Supreme Decree No. 1905, 1993, Ministry of Health, establishing particulate emission standards for existing multiple heating furnaces in the Metropolitan Region (*Decreto Supremo N° 1.905, 1993, del Ministerio de Salud, que establece normas de emisión de material particulado para calderas de calefacción grupales existentes en la Región Metropolitana*) Official Journal 18/11/93
- 2.b.4 Supreme Decree No. 812, 1995, Ministry of Health, complementing the compensation procedure for emissions from individual stationary sources (*Decreto Supremo N° 812, 1995, del Ministerio Salud, que complementa el procedimiento de compensación de emisiones para fuentes estacionarias puntuales*) Official Journal 08/05/95

Resolution

Ministry of Health

- 2.b.5 Resolution No. 15,027, 1994, Metropolitan Region Environmental Health Service, Ministry of Health, establishing the emission reporting procedure for stationary sources in the Metropolitan Region (*Resolución N° 15.027, 1994, del Servicio de Salud del Ambiente de la Región Metropolitana, del Ministerio de Salud, que establece el procedimiento de declaración de emisiones para fuentes estacionarias de la Región Metropolitana*) Official Journal 06/12/94

c. NOISE (2)

Laws

- 2.c.1 Statutory Decree No.725, Ministry of Health, Sanitary Code (Article 89(b)) (*Decreto con Fuerza de Ley N° 725, del Ministerio de Salud, Código Sanitario (artículo 89(b))*) Official Journal 31/01/68

Decrees

Ministry of Health

- 2.c.2 Decree No. 286, 1984, Ministry of Health, approving regulations on maximum allowable limits for noise pollution from stationary sources (*Decreto N° 286, 1984, del Ministerio de Salud, que aprueba el Reglamento sobre niveles máximos permisibles de ruidos molestos generados por fuentes fijas*) Official Journal 14/12/84

d. TOXIC SUBSTANCES AND HAZARDOUS WASTES (2)

Supreme Decree

Ministry of Agriculture

- 2.d.1 Supreme Decree No. 745, 1992, Ministry of Health, on basic sanitary and environmental conditions in work places (regarding accumulation and disposal of solid industrial wastes - RISES) (*Decreto Supremo N° 745, 1992, del Ministerio de Salud, sobre condiciones sanitarias y ambientales básicas en los lugares de trabajo (en cuanto a acumulación y disposición de Residuos Industriales Sólidos - RISES)*) Official Journal 08/06/93

Resolutions

- 2.d.2 Resolution No. 7539, 1976, Ministry of Health, minimum standards for operation of garbage dumps in Greater Santiago (*Resolución N° 7.539, 1976, del Ministerio de Salud, sobre normas mínimas para la operación de basurales ubicados en el Gran Santiago*) Official Journal 08/11/76
- 2.d.3 Resolution No. 2444, 1980, Ministry of Health, minimum health standards for operation of garbage dumps (*Resolución N° 2.444, 1980, del Ministerio de Salud, sobre normas sanitarias mínimas para la operación de basurales*) Official Journal 31/07/80

e. WILDLIFE AND PROTECTED AREAS (2)

- 2.e.1 Decree Law No. 701, 1974, establishing the legal regime for woodlands or land preferably to be used for forests (*Decreto Ley N° 701, 1974, que establece el régimen legal de los terrenos forestales o preferentemente aptos para la forestación*) Official Journal 28/10/74
- 2.e.2 Supreme Decree No. 259, 1980, Ministry of Agriculture, approving the Regulations pursuant to Decree Law No. 701, 1974, on forest development (*Decreto Supremo N° 259, 1980, del Ministerio de Agricultura, que aprueba el Reglamento del Decreto Ley N° 701, de 1974, sobre Fomento Forestal*) Official Journal 30/10/80

APPENDIX 44B.3

The definition of "environmental law" shall apply to the following, including any subsequent modification thereof, according to a schedule to be presented by Chile no later than six months after the entry into force of the Agreement. The schedule shall become part of this Appendix and its provisions shall become applicable accordingly.

a. GENERAL LEGISLATION (3)

Law

- 3.a.1 Decree Law No. 3557, 1981, establishing agricultural protection standards (*Decreto Ley N° 3.557, 1981, que establece normas sobre protección agrícola*) Official Journal 09/02/81

Supreme Decrees

Ministry of Interior

- 3.a.2 Supreme Decree No. 4740, 1947, Ministry of the Interior, establishing minimum municipal health standards (*Decreto Supremo N° 4.740, 1947, del Ministerio del Interior, que establece las Normas Sanitarias Mínimas Municipales*) Official Journal 09/10/47

b. WATER (3)

Laws

- 3.b.1 Law No. 3133, 1916, on neutralization of wastes from industrial establishments (Liquid Industrial Wastes) (RILES) (*Ley N° 3.133, 1916, sobre neutralización de los residuos provenientes de establecimientos industriales (Residuos Industriales Líquidos (RILES))*) Official Journal 07/09/16
- 3.b.2 Statutory Decree No. 34, 1931, on fishing industry and its products (*Decreto con Fuerza de Ley N° 34, 1931, sobre la industria pesquera y sus derivados*) Official Journal 17/03/31
- 3.b.3 Statutory Decree No. 208, 1953, Ministry of Agriculture, prohibiting dumping into waters on land and at sea liquid and solid industrial wastes unless they have first been purified or diluted (*Decreto con Fuerza de Ley N° 208, 1953, del Ministerio de Agricultura, que prohíbe arrojar a los cuerpos y cursos de aguas continentales y marítimas, residuos industriales líquidos y sólidos, sin previa purificación o dilución*) Official Journal 03/08/53
- 3.b.4 Statutory Decree No. 725, Sanitary Code (Articles 69 and 76) (*Decreto con Fuerza de Ley N° 725, Código Sanitario (artículos 69 y 76)*) Official Journal 31/01/68
- 3.b.5 Statutory Decree no. 1,122, Water Code (*Decreto con Fuerza de Ley N° 1.122 Código de Aguas*) Official Journal 29/10/81
- 3.b.6 Statutory Decree No. 382, 1988, Ministry of Public Works, General Sanitary Services Act (*Decreto con Fuerza de Ley N° 382, 1988, del Ministerio de Obras Públicas, Ley General de Servicios Sanitarios*) Official Journal 21/06/89
- 3.b.7 Law No. 18,892, Fisheries and Aquiculture Law (*Ley N° 18.892, General de Pesca y Acuicultura*) Official Journal 23/12/89

- 3.b.8 Law No. 18,902 creating the office of Superintendent of Health Services (*Ley N° 18.902, que crea la Superintendencia de Servicios Sanitarios*) Official Journal 27/01/90

Supreme Decrees

- 3.b.9 Supreme Decree No. 351, 1992, Ministry of Public Works, approving regulations for neutralizing and purifying liquid industrial wastes (*Decreto Supremo N° 351, 1992, del Ministerio de Obras Públicas, que aprueba el Reglamento para la neutralización y depuración de los residuos líquidos industriales*) Official Journal 23/02/93

Ministry of Health

- 3.b.10 Supreme Decree No. 745, 1993, Ministry of Health, concerning liquid industrial wastes (RILES) (*Decreto Supremo N° 745, 1993, del Ministerio de Salud en lo relativo a residuos líquidos industriales (RILES)*) Official Journal 08/06/93

c. AIR (3)

Law

- 3.c.1 Statutory Decree No. 725, Sanitary Code (Article 89(a)) (*Decreto con Fuerza de Ley N° 725, Código Sanitario (artículo 89(a))*) Official Journal

Supreme Decrees

Ministry of Health

- 3.c.2 Supreme Decree No. 144, 1961, Ministry of Health, establishing regulations to prevent air pollution of any kind (*Decreto Supremo N° 144, 1961, del Ministerio de Salud, que establece el Reglamento para evitar emanaciones o contaminantes atmosféricos de cualquier naturaleza*) Official Journal 18/05/61

d. TOXIC SUBSTANCES AND HAZARDOUS WASTES (3)

Laws and Treaties

- 3.d.1 Statutory Decree No. 725, Sanitary Code (Articles 78 to 81) (*Decreto con Fuerza de Ley N° 725, Código Sanitario (artículos 78 al 81)*) Official Journal 31/01/68
- 3.d.2 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, enacted by Supreme Decree No. 685, 1992, Ministry of Foreign Affairs (*Convenio de Basilea sobre el Control de los Movimientos Transfronterizos de los Desechos Peligrosos y su Eliminación, promulgado por Decreto Supremo N° 685, 1992, del Ministerio de Relaciones Exteriores*) Official Journal 13/10/92

e. WILDLIFE AND PROTECTED AREAS (3)

Laws and Treaties

- 3.e.1 Convention for the Protection of the Flora, Fauna and Natural Scenic Beauty of the Western Hemisphere, signed in Washington, 1940, enacted by Supreme Decree No. 531, 1967, Ministry of Foreign Affairs (*Convención para la Protección de la Flora, Fauna y las Bellezas Escénicas Naturales de América, firmada en Washington, 1940, promulgada por Decreto Supremo N° 531, 1967, del Ministerio de Relaciones Exteriores*) Official Journal 04/10/67
- 3.e.2 Decree Law No. 1557, 1976, on preserving or restoring natural resources (*Decreto Ley N° 1.557, 1976, respecto de preservar o reponer recursos naturales*) Official Journal 30/09/76
- 3.e.3 Decree Law No. 1939, 1977, on the acquisition, administration and disposal of government property, as regards the authority of the Ministry of National Property to establish national parks for the preservation of flora and fauna and the environment and to defend the ecological balance (*Decreto Ley N° 1.939, 1977, sobre Adquisición, Administración y Disposición de bienes del Estado, en cuanto a la facultad del Ministerio de Bienes Nacionales, para declarar parques nacionales, con fines de preservación de flora y fauna, del medio ambiente y la defensa del equilibrio ecológico*) Official Journal 10/11/77
- 3.e.4 Convention on the Conservation of Antarctic Seals, enacted by Supreme Decree No. 191, 1980, Ministry of Foreign Affairs (*Convención sobre la Conservación de Focas Antárticas, promulgada por Decreto Supremo N° 191, 1980, del Ministerio de Relaciones Exteriores*) Official Journal 24/04/80
- 3.e.5 Convention on the Conservation of Antarctic Marine Living Resources, signed in Canberra, 1980, enacted by Supreme Decree No. 662, 1981, Ministry of Foreign Affairs (*Convención sobre la Conservación de los Recursos Vivos Marinos Antárticos, suscrita en Canberra, 1980, promulgada por Decreto Supremo N° 662, 1981, del Ministerio de Relaciones Exteriores*) Official Journal 13/10/81
- 3.e.6 Convention on Wetlands of International Importance, especially as Waterfowl Habitat, signed in Ramsar, Iran, 1971, enacted by Supreme Decree No. 771, 1981, Ministry of Foreign Affairs (*Convención relativa a las Zonas Húmedas de Importancia Internacional especialmente como Hábitat de las Aves Acuáticas, suscrita en Ramsar, Irán, 1971, promulgada por Decreto Supremo N° 771, 1981, del Ministerio de Relaciones Exteriores*) Official Journal 11/11/81
- 3.e.7 Convention on the Conservation of Migratory Species of Wild Animals, signed in 1979 in the Federal Republic of Germany, enacted by Supreme Decree No. 868, 1981, Ministry of Foreign Affairs (*Convención sobre la conservación de las especies migratorias de la fauna salvaje, suscrita en 1979, en la República Federal Alemana, promulgada por Decreto Supremo N° 868, 1981, del Ministerio de Relaciones Exteriores*) Official Journal 12/12/81
- 3.e.8 Law No. 18,348, 1984, creating the National Forests and Renewable Natural Resources Protection Corporation (*Ley N° 18.348, 1984, que crea la Corporación Nacional Forestal y de Protección de Recursos Naturales Renovables*) Official Journal 19/10/84
- 3.e.9 Law No. 18,362, 1984, creating a national system of government-protected wildlife reserves (*Ley N° 18.362, 1984, que Crea un Sistema Nacional de Areas Silvestres Protegidas del Estado*) Official Journal 27/12/84
- 3.e.10 Law No. 18,892, General Fisheries and Aquiculture (*Ley N° 18.892, General*)

de Pesca y Acuicultura) Official Journal 23/12/89

- 3.e.11 Biodiversity Convention, signed in Rio de Janeiro, 1992, enacted by Supreme Decree No. 1963, 1994, Ministry of Foreign Affairs (*Convenio sobre Diversidad Biológica, suscrito en Rio de Janeiro, 1992, promulgado por Decreto Supremo N° 1.963, 1994, del Ministerio de Relaciones Exteriores*) Official Journal 06/05/95

f. MISCELLANEOUS LEGISLATION (3)

Supreme Decrees

Ministry of Mines

- 3.f.1 Supreme Decree No. 87, 1985, Ministry of Mines, establishing regulations for the physical protection of nuclear facilities and materials (*Decreto Supremo N° 87, 1985, del Ministerio de Minería, que establece el Reglamento de Protección Física de las Instalaciones y Materiales Nucleares*) Official Journal 09/03/85