

Presidency of the Republic Chief of Staff

Special Secretariat for Legal Affairs

¹ LAW NO. 15,068, OF DECEMBER 23, 2024

Provides for solidarity economy enterprises and the National Policy of Solidarity Economy; creates the National System of Solidarity Economy (Sinaes); and amends Law No. 10,406, of January 10, 2002 (Civil Code).

THE PRESIDENT OF THE REPUBLIC I hereby inform you that the National Congress decrees and I sanction the following Law:

CHAPTER I

PRELIMINARY PROVISIONS

Art. 1 This Law qualifies solidarity economy enterprises, provides for the National Solidarity Economy Policy and creates the National Solidarity Economy System (Sinaes) with a view to promoting solidarity economy and associated and cooperative work.

Art. 2 The solidarity economy comprises the activities of organizing the production and marketing of goods and services, distribution, consumption and credit, observing the principles of self-management, fair and solidary trade, cooperation and solidarity, democratic and participatory management, equitable distribution of collectively produced wealth, local development, regional and territorial integrated and sustainable, respect for ecosystems, preservation of the environment and appreciation of human beings, work and culture.

CHAPTER II

NATIONAL POLICY OF SOLIDARITY ECONOMY

Art. 3 The National Policy of Solidarity Economy is the instrument by which the public power, with the participation of organized civil society, will formulate and implement plans and actions with a view to promoting the solidarity economy.

Art. 4 Solidarity economy enterprises and beneficiaries of the National Solidarity Economy Policy are those that have the following characteristics:

I - they are self-managed organizations whose members collectively exercise the management of economic activities and the decision on the sharing of their results, through transparent and democratic administration, assembly sovereignty and the singularity of the members' vote;

II - have their members directly involved in the achievement of their social objective;

III - practice the trade of goods or provision of services in a fair and solidary manner;

¹ An unofficial translation made by RIPESS

IV - distribute the financial results of the economic activity in accordance with the resolution of its members, considering the proportionality of the operations and economic activities carried out individually and collectively;

V - allocate the net operating result, if any, to the achievement of its purposes, as well as to assist other equivalent enterprises that are in a precarious situation of constitution or consolidation, and to community development or to the professional and social qualification of their members.

Paragraph 1 - The classification of the enterprise as a beneficiary of the National Policy of Solidarity Economy does not depend on its corporate form.

Paragraph 2 - Legally formalized solidarity economic enterprises shall be classified as non-profit legal entities with economic purposes.

Paragraph 3 - Enterprises whose economic activity is the intermediation of subordinate labor shall not be beneficiaries of the National Policy of Solidarity Economy.

Paragraph 4 - Solidarity economic enterprises that adopt the corporate type of cooperative shall be constituted and shall have their operation disciplined in accordance with specific legislation.

Art. 5 The following are the guiding guidelines for the enterprises benefiting from the National Policy of Solidarity Economy:

I - democratic administration;

II - guarantee of free and voluntary adhesion;

III - decent work;

IV - environmental sustainability;

V – cooperation between enterprises and networks;

VI – community insertion, with the adoption of democratic and citizenship practices;

VII – practice of fair prices, in accordance with the principles of fair and solidary trade;

VIII – respect for differences and the dignity of the human person and promotion of equity and fundamental rights and guarantees;

IX – transparency and publicity in the management of resources and in the fair distribution of results;

X – encouragement of the effective participation of members in the strengthening of their enterprises;

XI – involvement of members in the achievement of the social objective of the enterprise; and

XII – distribution of the financial results of the economic activity in accordance with the resolution of its members, considering the proportionality of the operations and economic activities carried out individually and collectively.

Sole Paragraph. Fair and solidarity trade is understood as the differentiated commercial practice based on the values of social justice and solidarity carried out by solidarity economy enterprises, and fair price is the definition of the value of the product or service built from dialogue, transparency and the effective participation of all agents involved in its composition, which results in an equitable distribution of the gain in the production chain.

Art. 6 The objectives of the National Policy of Solidarity Economy are:

I - to contribute to the implementation of the constitutional precepts that guarantee citizens the right to a dignified life;

II - to strengthen and stimulate the organization and social and political participation in solidarity economy enterprises;

III - to strengthen and stimulate associativism and cooperativism, which characterize solidarity economy enterprises;

IV – to recognize and foster the different organizational forms of enterprises qualified under the terms of this Law as solidarity economy;

V - to contribute to the generation of income, the improvement of the quality of life and the promotion of social justice;

VI - to contribute to equity and provide concrete conditions for social participation;

VII – to promote the access of the solidarity economy to development instruments, to means of production, to markets and to the knowledge and social technologies necessary for its development;

VIII – to promote the integration, interaction and intersectoriality of public policies that can foster the solidarity economy;

IX – to support actions that bring consumers and producers closer together, in order to promote practices related to conscious consumption and fair and solidary trade;

X – to contribute to the reduction of regional inequalities through sustainable territorial development actions;

XI – to promote environmentally sustainable production practices;

XII – to contribute to the promotion of decent work in solidarity economic enterprises; and

XIII – to foster the articulation in networks of solidarity economy enterprises.

Art. 7 The principles of the National Policy of Solidarity Economy are:

I - non-discrimination and promotion of equal opportunities;

II - generation of work and income from the organization of work with a focus on autonomy and self-management;

III - articulation and integration of public policies for the promotion of local and regional development;

IV - coordination of actions of the agencies that develop policies for the generation of work and income;

V – stimulation of the solidarity economy as a strategy for sustainable development;

VI – social participation in the formulation, execution, follow-up, monitoring and control of solidarity economy policies and plans in all spheres of government; and

VII – transparency in the execution of programs and actions and in the application of resources destined to Sinaes.

Art. 8 The National Policy of Solidarity Economy is organized in the following axes of actions:

I - training, technical assistance and social and professional qualification;

II - access to financial and credit services;

III - promotion of commercialization, fair and solidarity trade and responsible consumption;

IV – promotion of solidarity economic enterprises and cooperation networks;

V – promotion of the recovery of companies by workers organized in self-management;
and

VI – support for research and development and appropriate appropriation of technologies.

Paragraph 1 - Regulation shall provide for the implementation of the National Policy of Solidarity Economy according to the axes set forth in the *caput* of this article.

Paragraph 2 - The National Policy of Solidarity Economy may serve the beneficiaries of social programs, provided that they act in solidarity economic enterprises, with priority given to those who live in a situation of social vulnerability.

Art. 9 - The National Registry of Solidarity Economic Enterprises shall identify solidarity economic enterprises for access to public policies, under the terms of the regulation.

Paragraph 1 - All members of Sinaes listed in article 13 of this Law are guaranteed access to information from the registry referred to in the *caput* of this article.

Paragraph 2 - Informal solidarity economy groups registered in the National Registry of Solidarity Economic Enterprises will be encouraged to seek their legal regularization in order to be fully included in the associative legal regime.

CHAPTER III

OF THE NATIONAL SYSTEM OF SOLIDARITY ECONOMY (SINAES)

Article 10. The National System of Solidarity Economy (Sinaes) is hereby established with the purpose of promoting the achievement of the National Policy of Solidarity Economy.

Article 11. Sinaes aims to:

I - to implement the National Policy of Solidarity Economy;

II - to integrate efforts between the federative entities and with civil society;

III - to promote the follow-up, monitoring and evaluation of the National Policy of Solidarity Economy.

Article 12. Sinaes is based on the following guidelines:

- I - promotion of the intersectoriality of governmental and non-governmental policies, programs and actions;
- II - decentralization of actions and articulation, in a collaborative regime, between the spheres of government;
- III – articulation between the various information systems existing at the federal level, including the Solidarity Economy Information System, in order to subsidize the management cycle of policies aimed at the solidarity economy in the different spheres of government;
- IV - articulation between budget and management;
- V – cooperation between the public sector and civil society organizations in the development of common activities to promote the solidarity economy.

Article 13. Sinaes is made up of:

- I - the National Conference on Solidarity Economy;
- II - the National Council of Solidarity Economy (CNES);
- III – the federal, state, district and municipal public administration bodies of solidarity economy;
- IV – civil society organizations and solidarity economic enterprises;
- V – the state, municipal and district councils of solidarity economy;
- VI – the Organization of Brazilian Cooperatives (OCB) and the National Union of Cooperative Solidarity Organizations (Unicopas).

Paragraph 1 - The National Conference on Solidarity Economy, to be held at a frequency not exceeding four (4) years, shall be responsible for evaluating the National Policy on Solidarity Economy.

Paragraph 2 - It shall be incumbent upon the CNES, the organ of articulation and social control of the National Policy of Solidarity Economy, to prepare and propose to the Federal Executive Branch, considering the deliberations of the National Conference of Solidarity Economy, the National Plan of Solidarity Economy, including budgetary requirements for its achievement.

Paragraph 3 - The service of the councilors, effective and alternate, in the CNES is considered of a relevant nature and will not be remunerated.

Paragraph 4 - The criteria and procedures for adhesion to Sinaes shall be established in regulations.

Article 14. The National Conference on Solidarity Economy will be preceded by state, district, municipal or territorial conferences.

CHAPTER IV

FINAL PROVISIONS

Article 15. Article 44 of [Law No. 10,406, of January 10, 2002](#) (Civil Code), is now in force with the following amendments:

"Article 44.

.....

[VII](#) – solidarity economy enterprises.

.....

[Paragraph 2](#) - The provisions concerning associations shall apply subsidiarily to solidarity economy enterprises and to the societies that are the object of Book II of the Special Part of this Code.

....." (NR)

Article 16. This Law enters into force on the date of its publication.

Brasilia, December 23, 2024; 203rd of Independence and 136th of the Republic.

LUIZ INÁCIO LULA DA SILVA
Luiz Paulo Teixeira Ferreira
José Wellington Barroso de Araujo Dias
Macaé Maria Evaristo dos Santos
Simone Nassar Tebet
Luiz Marinho

This text does not replace the one published in the Official Gazette of 12.24.2024