

MINISTRY OF LABOR AND EMPLOYMENT
NATIONAL IMMIGRATION COUNCIL

Normative Resolution no. 60, of October 6, 2004

Disciplines the grant of a work permit for the purpose of obtaining a permanent visa for individual foreign investors.

The National Emigration Council, established by Law No. 8,490, of November 19, 1992, in the use of the attributes granted to it by Decree no. 840, of June 22, 1993, resolves:

Article 1 – the Ministry of Labor and Employment may authorize the grant of a permanent visa to any foreigner who intends to set himself up in Brazil for the purpose of investing his or her own money from overseas in a productive business.

Article 2 – The grant of a visa to a foreigner will be made conditional upon evidence of the investment, in foreign currency, in an amount that is equal to or greater than US\$ 50,000.00 (fifty thousand United States dollars).

Paragraph 1 The provisions of this article are applicable equally to a new company or to one already in existence.

Paragraph 2 As an exception, the National Emigration Council, may authorize the grant of a permanent visa to any foreigner whose investment project includes at least ten new jobs, by means of submitting a plan to make use of Brazilian labor, for a period of no less than five years, even though the amount is less than the amount provided for of the head of this article.

Article 3 – The request for a permanent visa must be accompanied by the following documents:

- I – the appropriate requirement document;
- II – a power of attorney, by means of a public instrument, when the foreign investor is represented;
- III – the by-laws or constituent document of the company where the investment will take place, registered with the competent authority, with the foreign invested capital properly paid up;
- IV - Sisbacen - declaratory registration of overseas investment in Brazil, or the foreign exchange contract issued by the Bank receiving the investment;
- V – the original voucher of payment of the individual immigration fee – DARF – code 6922, in the name of the requesting company; and
- VI – receipt of the delivery of the income tax return for the latest accounting period of the requesting company.

Article 4 – The Ministry of Labor and Employment will communicate the authorizations to the Foreign Ministry, for the purpose of granting visas abroad by diplomatic missions, career consular offices and vice-consulates.

Article 5 – The status of investor and the term of validity of five years will appear on the foreigner's first identity document.

Article 6 – The Federal Police Department will replace the identity document when it expires, against evidence that he or she continues to be an investor in Brazil.

Sole paragraph. The evidence referred to in the head of this article will be furnished by means of the following documents:

- I – the voucher of the payment of the – GAR/FUNAPOL fee;
- II – the foreigner's identity document;

III – an accredited copy of the consolidated bylaws of the company;

IV – an accredited copy of the income tax return for the latest accounting period of the requesting company; and

V – a copy of the RAIS in respect of the last five years.

Article 7 - Failure to comply with the provisions of article 6 of this Normative Resolution will result in the cancellation of the registration as a permanent resident.

Article 8 - Normative Resolution no. 28, of November 25, 1998, is hereby revoked.

Article 9 – This Normative Resolution comes into force on the date it is published.

NILTON FREITAS

President of the National Immigration Council

Official Federal Gazette 199, of October 5, 2004, Section 1, page 83

INSTRUCTIONS FOR COMPLETING THE REQUIREMENT FOR WORK PERMIT FORM

- 1 REQUESTER – Fill out the company name of the corporation in Brazil interested in the foreign labor.
- 2 BUSINESS ACTIVITY – Fill out the code of the main activity of the requester., in accordance with the IBGE’s classification to be found in the National Corporation Register.
- 3 ADDRESS - Fill out the address of the company.
- 4 TOWN - Fill out the name of the town where the company is located.
- 5 UNIT OF THE FEDERATION - Fill out the initials of the Unit of the Federation where the company is located.
- 6 CEP – Fill out the ZIP code of the place where the company is located.
- 7 TELEPHONE – Fill out the company’s telephone numbers(s).
- 8 E-MAIL ADDRESS – Fill out the company’s e-mail address.
- 9 CGC – Fill out the identification number of the requester as it appears in the General Taxpayer’s Registry, when it is a corporation, or the CPF, when an individual.
- 10 LAW/DECREE/RESOLUTION – Fill out the number and date of the legal document grounding the Request for a Work Permit.
- 11 NAME – Fill in out the foreigner’s full name, completely and in accordance with his or her identity documents. In the event of hiring a team, fill in the name of the group’s representative.
- 12 PARENTS – Fill out, in full, the names of the foreigner’s father and mother.
- 13 SEX – Put an “M” for the male sex or “F” for the female sex.
- 14 MARITAL STATUS - State whether: married, single, separated, divorced, etc.
- 15 DATE OF BIRTH – Fill out with the day, month and year of the foreigner’s birth.
- 16 SCHOOLING – Fill out the degree of the foreigner’s schooling.
- 17 PROFESSION – Fill out his or her profession.
- 18 NATIONALITY – Fill out the foreigner’s nationality.
- 19 TRAVEL DOCUMENT – Fill out with: the type of document, the number, the term of validity and the issuing government.
- 20 FUNCTION IN BRAZIL – Fill the activity the foreigner will undertake in Brazil, which may or may not be that declared in question 16.
- 21 CBO – Fill out with the code of the activity the foreigner will undertake in Brazil, in accordance with the Brazilian Jobs Classification – CBO (four digits).
- 22 PLACE OF THE JOB – Fill out the name of the town of the Unit of the Federation where the foreigner will actually carry out his functions in Brazil.

23 LEGAL DEPENDENTS – Fill out with: the name, the relationship, date of birth and the nationality, the type, the number, the term of validity and the issuing government of the relevant travel documents.

24 TYPE OF VISA – Flag with an “x” the type of visa requested.

25 TERM – Inform the term of validity given in the employment contract, the appointment or selection, in compliance with the limits of the law.

26 BRAZILIAN CONSULAR OFFICE ABROAD – Fill out the names of the town and country where the foreigner will take delivery of the visa requested. In the case of hiring a team, where there is more than one consular office note “See attached list” where the relevant consular offices will be given.

27 POWER OF ATTORNEY – Fill out the name of the legally constituted attorney.

28 E-MAIL ADDRESS – Fill out the e-mail address of the legally constituted attorney.

MODEL I
INFORMATION ON THE COMPANY AND ON THE CANDIDATE

ON THE COMPANY

1. Name
2. Object
3. Share capital
4. Date of establishment
5. Date of the latest change to the bylaws
6. Associated foreign corporation(s)
7. List of the main partners, when it is a “Sociedade Anônima”.
8. Value of the foreign capital investment
9. Date of the latest investment
10. Date of registration with the Central Bank of Brazil
11. Executive(s) – Name and position
12. Present number of employees:
 - 12.1 Brazilians
 - 12.2 Foreigners
13. Justification for hiring the foreigner:

ON THE CANDIDATE

1. Name
2. Schooling
3. Inform the most recent remuneration received by the foreigner abroad.
4. Inform the remuneration that the foreigner will receive in this Country.
5. If the foreigner will continue to receive remuneration abroad, inform this and offer to taxation in Brazil, pursuant to determinations by the Internal Revenue Service (Secretaria da Receita Federal).
6. Professional experience: list the companies that have employed him or her, the functions undertaken with the relevant time period, place and date, in chronological order, setting out activities compatible with those that the candidate will undertake in Brazil.

I declare, on pain of the application of article 299 of the Brazilian Civil Code, that the information transcribed in this document is true, undertaking, also, to evidence it, by means of submitting appropriate documents for inspection.

Place and date:

Signature(s) of the legal representative(s) of the corporation responsible for calling on the foreigner, setting out his or her or their full name(s), the description, the CPF, appending the name(s) and the position(s) and the stamp of the organization.