

Doing Business in

Brazil *Let's talk about...*

A member of

mgi worldwide

Let's talk about... Immigration in Brazil

Do you have a client who is considering residing in Brazil? There are many alternatives that can be considered, depending on the case. Brazilian law includes several types of visa: visitor, temporary, courtesy, official and diplomatic. Courtesy, official and diplomatic visas have special rules and are not covered in this post. See below a brief explanation of the different cases:

Visitor's visas are granted to foreigners visiting for transit, tourism, business, artistic or sporting purposes.

Visitor's visas for transit purposes are issued for individuals who are passing through Brazil enroute to another country. This situation occurs when a flight connection is long and the passenger does not remain restricted to the international transit area of the airport. Transit visas may be obtained at the nearest Brazilian Consulate by presenting one's passport and connecting flight ticket.


“

Some of the favorable characteristics of living in Brazil are: Peaceful diplomatic principle (free from wars); Mild climates (either colder or hotter); Climatic diversity; Cities with abundant nature; Highly developed urban cities; SUS (free healthcare); Stability during natural environmental catastrophes; Favorable exchange rate for several countries; Brazilian passport accepted in 170 countries; Cities have quality of life indexes like the best cities in Europe; Possibility of adding working time from other countries to retirement; MERCOSUR Residency Agreement and entry visa exemption.”

Karin Monchak

Partner, MGI Assurance

Doing Business in Brazil



Visitor's visas for tourism purposes fall into two basic categories, depending on the bilateral reciprocity agreements between Brazil and other countries. For passports issued by countries that demand a visa, a visa stamp must be included in the passenger's passport before departure from their origin. For countries that do not require a visa, passengers need only to pass through customs at the airport, seaport, or border point of arrival. Since June 17, 2019, United States, Canadian, Japanese, and Australian citizens are no longer required to obtain a visa stamp, notwithstanding the fact that there are no reciprocity agreements between Brazil and such countries.

Visitor's visas for business purposes grant their holders authorization to perform business activities in Brazil provided the holders of such visas are not remunerated by entities domiciled in Brazil. This type of visa may also be obtained by applying to the nearest Brazilian Consulate and its term generally follows the same rules applicable to tourism (i.e. an initial period of 90 days, renewable for another 90-day period, with a total maximum stay of 180 days per year or limited to a combined 90-day period during each 180 days). Moreover, and similar to tourist visas, visitor's visas for business purposes may also be waived (i.e. with a stamp in the passport), but this varies in accordance with international treaties.

Temporary residence can be granted to those who intend to work, study, or be subject to health treatment, among other specific situations. Our comments will focus on the work scenario. In order to obtain a temporary work residence, first a residence permit application must be issued by the Immigration Division of the Ministry of Justice located in Brasília-DF. If such application is approved, the procedure and all related documentation should be submitted to the Ministry of Foreign Affairs and then to the Brazilian Consulate mentioned in said application, at which time the foreigner, as a general rule, must (individually) go through the bureaucratic phases required to obtain his/her visa. Each visa will be issued by the Brazilian Consulate nearest to the place the applicant has been residing for more than one year. The dependents of the main applicant are entitled to the same type of visa through a joint family application.

Temporary Residence with an Employment Agreement: This type of visa authorizes its holders to work directly for a Brazilian company under an employment contract, subject to Brazilian Labor Law. The Brazilian Immigration Authorities usually only grant temporary residence under employment agreements when:

The foreigner is requested to perform administrative, financial or managerial activities in Brazil;

- The salaries paid to foreigners do not exceed one-third of the total payroll;
- The number of foreign employees does not exceed one-third of the company's total number of employees

The respective temporary work residence will be valid for up to two years.

Temporary Residence for Technical Services Purposes: technical assistance services may also be rendered to a Brazilian company by a foreigner holding an appropriate temporary residence provided that the Brazilian company contracts a foreign legal entity for the rendering

of services under the terms of a Technology, Transfer or Technical Assistance Agreement. While in Brazil, the foreigner remains an employee of the foreign company and may only receive his/her salary abroad. The respective temporary residence is valid for up to one year but is renewable once only for the same valid period of time.

Residence visas are usually granted to foreigners being transferred to Brazil to occupy positions of officers/managers or directors of companies incorporated in Brazil. To qualify for such a visa, the government requires a minimum investment in the employing company, in foreign currency, equivalent to at least BRL 600,000.00 per residence visa application. However, this investment can be reduced to BRL 150,000.00 if the Brazilian affiliate assumes the commitment to generate at least 10 direct jobs over a maximum period of two years. Additionally, residence visas may be granted to foreign investors who contribute to the Brazilian economy.

MERCOSUR visas permit legal temporary residence in Brazil for two years. The citizens of MERCOSUR countries (including Bolivia, Chile, Peru, Colombia, and Ecuador) who wish to reside in Brazil should submit the necessary documentation to the appropriate Brazilian Consular authority or directly to the Federal Police in Brazil. These two-year MERCOSUR visas can be converted into permanent residence in Brazil provided that the citizens submit a request for such permanent residence, along with the necessary documentation, to the appropriate authorities 90 days before the expiry of the temporary residence.

Let's talk



Karin Monchak

Partner

karin.monchak@mgiassurance.com.br



Eliza Vieira

Partner

eliza.vieira@mgiassurance.com.br



Rua Dr. Manoel Pedro 365,
Conj. 1601 Bairro Cabral
Curitiba, Paraná



+55 41 3044 6127



contato@mgiassurance.com.br



www.mgiassurance.com.br



About MGI Worldwide

MGI Worldwide is a leading top-20 international network and association of over 9,000 audit, accounting, tax and consulting professionals in some 400 locations around the world.

www.mgiworld.com

Disclaimer: "LET'S TALK ABOUT..." series - is an initiative of MGI Assurance Auditores Independentes S.S. to provide general information about Doing Business Brazil. We have done our best to describe the current state of Brazilian law and regulations with regard to the matters discussed in these materials. Laws and regulations, and their interpretation, are constantly evolving. Readers considering transactions with or investment in Brazil should seek appropriate legal advice, which MGI Worldwide and MGI Assurance Auditores Independentes will be pleased to provide on request, when considering a specific project in the country.

MGI Worldwide is a leading international network of separate and independent accounting, legal and consulting firms that are licensed to use "MGI" or "member of MGI Worldwide" in connection with the provision of professional services to their clients. MGI Worldwide is the brand name referring to a group of members of MGI Ltd., a company limited by guarantee and registered in the Isle of Man with registration number D13238V, who choose to associate as a network as defined in IESBA and EU rules. MGI Worldwide itself is a non-practising entity and does not provide professional services to clients. Services are provided by the member firms of MGI Worldwide. MGI Worldwide and its member firms are not agents of, and do not obligate, one another and are not liable for one another's acts or omissions.

A member of

mgiworldwide

Follow us



LinkedIn: [linkedin.com/company/mgiworld.com](https://www.linkedin.com/company/mgiworld.com)



Twitter: twitter.com/mgiworldwide



Facebook: www.facebook.com/mgiworldwide



YouTube: Subscribe to MGI Worldwide



Vimeo: vimeo.com/mgiworldwide



Flickr: [flickr.com/photos/mgiworldwide/albums](https://www.flickr.com/photos/mgiworldwide/albums)