

NORMATIVE RESOLUTION 88, FROM SEPTEMBER 15, 2010

Regulates the concession of visas to foreign citizens that enter Brazil as trainees.

THE NATIONAL IMMIGRATION COUNCIL, established by Law 6.815 from August 19, 1980 and organized by Law 10.683 from May 28, 2003, in the use of the power granted by Decree 840 from June 22, 1993, decides:

Art. 1 Foreign citizens entering Brazil as trainees can be granted a temporary visa under the protection of the provisions of clause IV of Art. 13 of Law 6.815 from August 15, 1980.

Single paragraph. It is considered as training, for all purposes of this Normative Resolution, the supervised academic education in a working environment aimed at preparing a student, attending regular classes at superior education institution, for productive work.

Art. 2 The concession of the visa that is the subject of this article is conditioned to the signing of a letter of agreement between the trainee, the training entity and the Brazilian educational institution; and to the compatibility between the training activities and the activity stated in the letter of agreement.

§ 1. The training process must, as a supervised educational activity, be followed by tutoring teacher employed by the educational institution and by a supervisor employed by the training party and comply with pertinent Brazilian legislation.

§ 2. The visa must be requested abroad at a consular or vice-consular department and will be valid for a period of 1 (one) year that can be extended one time only for an equal period of time and the trainee's identity card for foreigners will contain the validity period as well as his/her situation as a trainee.

Art. 3 The trainee is allowed to receive a scholarship for his/her upkeep as well as any other benefits included in the respective Brazilian legislation.

Art. 4 The sustenance of a trainee that does not follow the respective Brazilian legislation is, for all purposes related to labor and welfare legislation, considered as the employment of the trainee by the training party.

Single paragraph. Both the training party and the trainee will be subjected to the sanctions foreseen by Brazilian migration legislation if they fulfill the hypothesis stated in the heading of this article.

Art. 5 Normative Resolutions 41, from September 28, 1999 and 42, from September 28, 1999 are hereby revoked.

Art. 6 This Normative Resolution enters into effect on the date of its publication.

PAULO SÉRGIO DE ALMEIDA
President of the National Immigration Council