

NORMATIVE RESOLUTION 94, ISSUED ON MARCH 16, 2011

Regulates the granting of visas to students or newly graduated foreign citizens entering Brazil under the protection of a professional exchange program

The NATIONAL IMMIGRATION COUNCIL, created by Law 6.819 from August 19, 1980 and organized through Law 10.683 from May 28, 2003, based on the competence conferred by Decree 840 from June 22, 1993, decides:

Art. 1 The Ministry of Labor may grant a temporary visa concession authorization, based on art. 13, subparagraph V of Law 6.815 from August 19, 1980, to a foreign citizen that wishes to enter Brazil in order to participate in a professional exchange program organized by an enterprise established in the Country.

§ 1 For all purposes of this resolution, it is considered professional exchange the socio-labor international learning experience acquired in a working environment and aimed at the improvement of initial or continued academic education and at the exchange of cultural and professional knowledge and experiences.

§ 2 The visa is valid for a period of up to one year, cannot be extended, and its validity will be included in the Foreigner's Identity Card.

Art. 2 The concession of the visa that is the subject of this Normative Resolution is conditioned to the previous authorization of the Ministry of Labor and must be requested by the employing entity in Brazil through the presentation of the following documents:

I - proof of enrollment in a graduation or post-graduation course or certificate of conclusion of a course during the last 12 (twelve) months;

II – employment Contract for a maximum period of one year, full or part-time, signed by all respective parties;

III – letter of Agreement between the foreign citizen the employing entity and the Brazilian entity stating the details of the exchange program;

IV – other work permit related documentation required by the Ministry of Labor.

Art. 3 The Ministry of Labor may refuse the request if:

I - it finds evidence that the employing enterprise is merely interested in the substitution of national workmanship by foreign professionals; and

II – it verifies that the candidate's country of origin does not offer the same opportunities to Brazilian citizens.

Art. 4 All documents issued abroad must be authenticated by a Brazilian consular department and translated into Portuguese by an authorized translator in Brazil.

Art. 5 This Normative Resolution enters into effect on the date of its publication.

PAULO SÉRGIO DE ALMEIDA

President of the National Immigration Council

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