

NORMATIVE RESOLUTION NR. 79 FROM AUGUST 12, 2008

Regulates the criteria for the concession of work permits and temporary visas to foreigners that are employed by an Economic Consortium with headquarters in Brazil, aimed at the qualification and assimilation of the entrepreneurial culture and management methodology of the applicant enterprise

THE NATIONAL IMMIGRATION COUNCIL, created by Law 6.815 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 A work permit and a temporary visa may be granted to a foreign citizen that intends to come to Brazil, according to the provisions of art. 13 of Law 6.815 from 1980, if he/she is employed by a firm abroad belonging to a Transnational Economic Consortium with headquarters in Brazil, and comes to Brazil in order to perform technical-operational or administrative functions at a Civil or Commercial Society belonging to the same Group or Economic Consortium, aimed at his/her technical or administrative empowerment and for the assimilation of the enterprise's culture and the management methodology of the Brazilian headquarters as well as to allow for the exchange of professional experiences.

§ 1 The visa applicant must be the Brazilian headquarters of the transnational economic consortium.

§2 The temporary visa is conditioned to the exercising of the function stated in the work permit application as well as to the training of the foreign professional in the technical-operational and management procedures of the applicant firm, aimed at the foreigner's professional empowerment or the acquiring of knowledge for the position to which he/she has been appointed.

§3 The foreigner cannot come to Brazil in order to substitute national workmanship or to take any managerial position.

Art. 2 The application for the work permit must follow the provisions of the Resolution that stipulates the procedures for work permit requests and be accompanied by the following documents:

1 – proof of the associative linkage between the applicant, the headquarters, and the foreign enterprise that is controlled or is the subsidiary, through the presentation of a legal contract or the articles of incorporation of the foreign enterprise duly authenticated by the Brazilian consular department and translated according to current legislation;

2 - proof of the foreigner's employment by the foreign firm through a document that has been authenticated by the Brazilian consular department and duly translated according to current legislation;

3 – the Empowerment Plan showing the link between the foreigner and the development of the activities abroad that are in the interest of the enterprise's headquarters.

Art. 3 The work permit that is the subject of the heading of art. 1 of this Resolution can be granted for a period of up to two years and can be extended one single time for an equal period and cannot be changed into a permanent visa.

Art.4 This Normative Resolution enters into effect on the date of its publication.

PAULO SÉRGIO DE ALMEIDA
President of the National Immigration Council

Published in the Official Gazette (DOU) 159 from August 19, 2008