

**MINISTRY OF LABOR AND EMPLOYMENT  
NATIONAL IMMIGRATION COUNCIL**

**NORMATIVE RESOLUTION NO. 77, OF JANUARY 29<sup>TH</sup>, 2008**

Establishes criteria for temporary or permanent concession of visa, or permit of stay to partners in a common-law marriage, without sex discrimination.

**THE NATIONAL IMMIGRATION COUNCIL**, established by Law No. 6,815, of August 19<sup>th</sup>, 1980, and organized by Law no. 10,683 of May 28<sup>th</sup>, 2003 in the use of the powers granted by Decree no. 840, of June 22<sup>nd</sup>, 1993, resolves:

Article 1 – The requests of temporary or permanent visa, or permit of stay to partners in common-law marriage, without sex discrimination, shall be inspected with support of Normative Resolution no. 27, of November 25<sup>th</sup>, 1998, regarding special situations or negligent cases, and Normative Resolution no. 36, of November 28<sup>th</sup>, 1999, regarding family reunion.

Article 2 – The verification of common-law marriage must be implemented by the following documents:

I – certificate of common-law marriage issued by government body of the country of origin of the summoned.

II – proof of common-law marriage issued by award in Brazil or correspondent authority abroad.

Article 3 – In case of absence of documents referred in Article 2, proof of common-law marriage shall be implemented upon presentation of:

I – certificate or similar document issued by authority of national civil registration office, or equivalent abroad;

II – declaration, under punishment of law, of two witnesses which can prove the existence of common-law marriage; and

III – at least, the following documents:

- a) evidence of dependence issued by fiscal authority or correspondent body to the Federal Treasury;
- b) certificate of religious marriage;
- c) testamentary provisions which may prove the attachment;
- d) life insurance policy on which contains one of the parties as establisher of the

- insurance and the other one as beneficiary;
- e) Deed of purchase and sale, registered in the Property Ownership Registration Office, on which shall contain the parties as owners, or rental property contract on which they may be presented as lessees; and
  - f) Joint account.

Sole Paragraph. For the purpose of what was settled on items “b” and “f” of section III of the present Article, the minimum time required is one year.

Article 4 – The claimant must also present:

I – requirement on which contains the common-law marriage background;

II – public deed of commitment of maintenance, support and national territory departure, if necessary, in favor of the summoned, wrought at the Notary’s Office;

III - evidence of maintenance of the claimant or the foreigner summoned, with income source in Brazil or abroad, enough to the maintenance and sustenance of the couple, or contract of regular work, or benefits originated from scholarship, and other lawful means;

IV – official copy of the identity card of the claimant;

V – official copy of the entire passport of the summoned;

VI – certificate of criminal records issued by the country of origin or by the country of the summoned regular residence;

VII – the original voucher of payment of the individual immigration; and

VIII – declaration, under punishment of law, of foreigner marital status in the country of origin.

Sole paragraph. At the discretion of the competent authority, the claimant may be required to present other documents.

Article 5 – The documents issued abroad must be legalized by the Brazilian consular office present in the country and translated by a sworn translator in Brazil.

Article 6 – If necessary, the National Immigration Council shall require the performance of due diligences to the Ministry of Justice.

Article 7 – In the case of permanent visa or permit of stay, the foreigner shall still be attached to the condition which allowed your concession for the period of two years;

such condition may be contained in the passport and in the Foreigner Identity Card.

Paragraph 1 – The bearer of the attached permanent registration provided in the head may require stay for an indeterminate period upon evidence of common-law marriage continuity.

Paragraph 2 – When the period referred in the head elapses, the Ministry of Justice shall be responsible for the decision regarding the permanence of the foreigner in the country for an indeterminate period.

Paragraph 3 – The presentation of the requirement referred in paragraph 1 after the expiry date provided in the head, shall oblige the summoned to pay a fine provided in item XVI of Law no. 6,815, Article 125, of 1980, modified by Law no 6,964, of December 09<sup>th</sup>, 1981.

Article 8 – This Normative Resolution comes into force on the date it is published, and is not applicable to procedures in legal process.

Article 9 - Administrative Resolution no. 05, of December 03<sup>rd</sup>, 2003, is hereby revoked.

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**PAULO SÉRGIO DE ALMEIDA**  
President of National Immigration Council

**NORMATIVE RESOLUTION NO. 78, OF MARCH 04<sup>TH</sup>, 2008.**

Disciplines the arrival of foreigners for performance of reportages and/or filming, recording or capture of moving images, with or without sound, for journalistic, newsworthy and/or commercial purposes.

**THE NATIONAL IMMIGRATION COUNCIL**, established by Law No. 6,815, of August 19<sup>th</sup>, 1980, and organized by Law no. 10,683 of May 28<sup>th</sup>, 2003 in the use of the powers granted by Decree no. 840, of June 22<sup>nd</sup>, 1993, resolves:

Article 1 – To the foreigner which intends to come to Brazil for the performance of reportages and/or filming, recording or capture of moving images, with or without sound, for journalistic and/or newsworthy, documentary or marketing purposes, shall be conceded a temporary visa provided in Law 6,815, Article 13, item II, of August 19<sup>th</sup>, 1980.

Paragraph 1 – The visa requirement discussed in this article shall be presented to career consular offices at the jurisdiction of the party residence place, with presentation of correspondent means of communication to which the party is attached, travel document with validity superior to 6 months, two photos, return ticket and evidence of compatible financial means for the trip.

Paragraph 2 – When necessary, the Brazilian co-producer shall present a declaration that the foreigner will only perform activities in native areas or in areas of environment protection upon authorization from competent bodies.

Article 3 - This Normative Resolution comes into force on the date it is published.

Article 4 – Normative Resolution no. 38, of September 28<sup>th</sup>, 1999, is hereby revoked.

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