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Work Permit for Foreigners

Normative Resolution Nr. 37, of September 28, 1999

Regulates the concession of a visa to the foreigner pretending to enter the Country for professional training, after the conclusion of a superior course or professional education, without employment links in Brazil.

THE NATIONAL IMMIGRATION COUNCIL, instituted by Law Nr. 8.490 of November 19, 1992, in the use of the powers conferred by Decree Nr. 840, of June 22, 1993, decides:

Art. 1 A temporary visa can, be granted to the foreigner pretending to enter the Country for professional training, without employment linkage, as foreseen in point V of art. 13 of Law Nr. 6.815 of August 19, 1980.

§ 1 For the purposes of this Normative Resolution, it is considered professional training, activities with the aim of developing the qualifications and the knowledge acquired through practical work, following the immediate conclusion of a superior course or professional education.

§ 2. The period of validity of the visa shall be 1 (one) year, non extendable, and it will be stated on the Identity Card of the foreigner.

Art. 2 The concession of the visa treated by this Normative Resolution is conditioned to the previous authorization from the Ministry of Labor, and shall be requested through the presentation of the following documents:

I – proof of conclusion, within the last twelve months, of a superior or professional course in the pretended area;

II – proof that the remuneration of the interested party will come from a foreign source;

III – further work permit documents demanded by the Ministry of Labor.

Art. 3 The concession of the visa treated by this Normative Resolution will be subject to the same handling as the one given to Brazilians abroad or the expressed possibility in the legislation of the country of the interested party.

Art. 4 The foreigner is, forbidden to exercise any remunerated activity in Brazil while in professional training.

Art. 5 The ministry of Labor can deny the request if it is characterized by evidence that the firm is interested in achieving the mere substitution of national workmanship by foreign professionals.

Art. 6 A temporary visa can be granted to a foreigner, for the extendable period of 60 (sixty) days, who pretends to enter the country in order to receive training in the operation and maintenance of machines and equipments produced in the national territory, without employment linkage in Brazil, as foreseen in art. 13, point I of Law Nr. 6.815 of August 19, 1980.

Sole paragraph. The visa must, be applied through the consular department located at the usual residence of the interested party, through the presentation of, among others, the following documents:

I – proof that the remuneration of the interested party will originate from a foreign source;

II – correspondence from the firm located in the Country specifying the circumstances of the training and that it will be responsible for the stay and subsistence of the foreigner while in the national territory.

Art. 7 This Normative Resolution enters into effect on the date of its publication and revokes Normative Resolution Nr. 22 of November 25, 1998, published in OFFICIAL GAZETA Nr. 243-E of December 18, 1998.

ALVARO GURGEL DE ALENCAR
President of the National Immigration Council

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