



BRAZIL ANNOUNCES CHANGES TO WORK VISA APPLICATIONS

The Brazilian Ministry of Labor's National Immigration Council (CNIg) has published two new Normative Resolutions in recent days that introduce significant changes to the Ministry's work authorization procedures, with the intent to streamline the filing and adjudication of applications.

RN 104, published on May 16, alters several aspects of the application process. The principal changes include:

- **Electronic application filing** – Work authorization applications will be accepted by the Ministry of Labor electronically. (The electronic filing system has yet to be introduced.)
- **Waiver of notarization requirement for signatures in Brazil** – Application documents that until now required an original signature and Brazilian notarization may be submitted as simple copies.
- **Relaxation of legalization/translation requirements** – Applications may now be filed before the requisite legalizations and official Portuguese translations have been obtained for foreign documents. A deadline of 60 days is established for applications to be supplemented with the legalizations and translations. While the Ministry of Labor is further authorized to approve applications without the legalizations and translations, if these documents are not submitted before the 60-day deadline any approval will be automatically cancelled.
- **Relaxation of start date for local hires** – Brazilian companies who hire foreign workers now have 30 days from the date of entry on the work visa to add the worker to their payroll. Work contracts signed between Brazilian companies and foreign workers now must include a clause that indicates this 30-day timeframe.
- **Electronic filing of work authorization cancellation notices** – Companies may now file termination notices for foreign workers electronically with the Ministry of Labor. Notices of work authorization cancellations will be communicated to the Ministry of Justice but no longer be published in the Brazilian *Diário Oficial*.
- **Automatic cancellation of prior work authorizations** – The Ministry of Labor will now automatically cancel any prior work authorizations at the time of approving a new work authorization for the same foreign national. A separate cancellation request is no longer necessary.

RN 103, published at the same time, establishes a new temporary work visa category for foreign students who come to work on a short-term basis. The **new "summer job" work visa** will be valid for up to 90 days, and cannot be extended or transformed to a permanent visa. The corresponding application at the Ministry of Labor will require proof that the foreign national is enrolled in a graduate or post-graduate level program, as well as a full-time or part-time work contract signed between a Brazilian company and the foreign national.

The Ministry of Labor has not yet issued any further guidance regarding how these changes will be implemented. FosterQuan's Global Section will continue to monitor these procedural changes and will provide further updates regarding the new, streamlined work visa procedures as they become available. Please contact globalinquiries@fosterquan.com if you would like additional information regarding this change, or for any other assistance.