



OFFICIAL DIARY OF THE UNION

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Órgão: Presidência da República/Casa Civil

Ordinance No. 518, OF NOVEMBER 12, 2020

It provides for the exceptional and temporary restriction on the entry of foreigners into the country, of any nationality, as recommended by the National Health Surveillance Agency - Anvisa.

THE CHIEF MINISTERS OF THE CIVIL HOUSE OF THE PRESIDENCY OF THE REPUBLIC, JUSTICE AND PUBLIC SECURITY, INFRASTRUCTURE AND HEALTH, in the use of the powers conferred on them by art. 87, sole paragraph, items I and II, of the Constitution, and art. 3rd, art. 35, art. 37 and art. 47 of Law No. 13,844, of June 18, 2019, and in view of the provisions of art. 3rd, **caput**, item VI, of Law No. 13,979, of February 6, 2020, and

Considering the declaration of public health emergency of international importance by the World Health Organization on January 30, 2020, due to the human infection with the coronavirus SARS-CoV-2 (covid-19);

Considering that it is a principle of the National Public Security and Social Defense Policy, provided for in item VI of the caput of art. 4 of Law No. 13,675, of June 11, 2018, the efficiency in preventing and reducing risks in emergency situations that may affect people's lives;

Considering the need to give effectiveness to the health measures to respond to the covid-19 pandemic provided for in Ordinance No. 356 / GM / MS, of March 11, 2020, of the Ministry of Health;

Considering that public services and essential activities are defined as those of transit and international transport of passengers and those of transport, storage, delivery and logistics of cargo in general, as described in items V and XXII of § 1 of art. 3 of Decree No. 10,282, of March 20, 2020; and

Considering the manifestation of the National Health Surveillance Agency - Anvisa, with the recommendation of an exceptional and temporary restriction on entering the country, they resolve:

Art. 1 This Ordinance provides for the exceptional and temporary restriction on the entry of foreigners of any nationality into the country, pursuant to the provisions of item VI of the caput of art. 3 of Law no. 13,979, of February 6, 2020, as a result of a technical and reasoned recommendation from the National Health Surveillance Agency - Anvisa for health reasons related to the risks of contamination and spread of the SARS-CoV-2 coronavirus (covid-19).

Art. 2 It is restricted, for a period of thirty days, the entry into the country of foreigners of any nationality, by road, by other terrestrial means or by water transport.

Art. 3 The restrictions referred to in this Ordinance do not apply to:

I - Brazilian, born or naturalized;

II - immigrant with permanent residency, for a determined or indefinite period, in Brazilian territory;

III - foreign professional on mission at the service of an international organism, as long as duly identified;

IV - foreign employee accredited to the Brazilian Government;

V - foreigner:

a - Spouse, partner, son, father or curator of a Brazilian;

b - whose entry is specifically authorized by the Brazilian Government in view of the public interest or for humanitarian reasons; and

c - holder of a National Migration Registry; and

VI - charge transport.

§ 1 The restrictions provided for in this Ordinance do not prevent the entry, by air or waterway, of sea crew to exercise specific functions on board of a vessel or platform operating in jurisdictional waters, provided that the migratory requirements appropriate to their condition, including to carry an entry visa, when required by the Brazilian legal system.

§ 2 The restrictions provided for in this Ordinance do not prevent the disembarkation, authorized by the Federal Police, of maritime crew for medical assistance or for connection of air return to the country of origin related to operational issues or termination of employment contract.

§ 3 The authorization referred to in § 2 is subject to a term of responsibility for the expenses resulting from the transshipment signed by the maritime agent, with prior consent of the local health authorities, and the presentation of the corresponding air tickets.

§ 4. In the event of entry into the country by road, other land or waterway transport, the exceptions referred to in item II and paragraphs "a" and "c" of item V of the **caput** do not apply to foreigners from Bolivarian Republic of Venezuela.

Art. 4 The restrictions mentioned in this Ordinance do not prevent:

I - The execution of cross-border humanitarian actions previously authorized by local health authorities;

II - The traffic of border residents in twin cities, upon presentation of a border resident document or other supporting document, provided that reciprocity in the treatment of Brazilians by the neighboring country is guaranteed; and

III - The free traffic of road cargo transportation, even if the driver does not fit the role referred to in art. 3, in the manner provided for in the legislation.

Single paragraph. The provisions of item II of the **caput** do not apply to the border with the Bolivarian Republic of Venezuela.

Art. 5 Exceptionally, the foreigner who is in a land border country and needs to cross it to embark on a flight back to his country of residence may enter the Federative Republic of Brazil with authorization from the Federal Police.

Single paragraph. In the event provided for in the **caput**:

I - the foreigner must go directly to the airport;

II - there must be an official demand from the embassy or consulate of the country of residence; and

III - corresponding air tickets must be presented.

Art. 6 The restrictions referred to in this Ordinance do not prevent foreigners from entering the country by land, between the Federative Republic of Brazil and the Republic of Paraguay, provided that the migratory requirements appropriate to their condition are observed, including that of having a visa entry fee, when required by the Brazilian legal system.

Article 7. The restrictions referred to in this Ordinance do not prevent foreigners from entering the country by air, provided that the migratory requirements appropriate to their condition are observed, including that of having an entry visa, when this is required by the Brazilian legal system.

Article 8. Failure to comply with the provisions of this Ordinance will imply, for the offending agent:

I - civil, administrative and criminal liability;

II - repatriation or immediate deportation; and

III - disqualification of asylum applications.

Art. 9 The regulatory bodies may edit norms complementary to the provisions of this Ordinance, including sanitary rules on procedures, vessels and operations.

Art. 10. Omissions in this Ordinance will be decided by the Ministry of Justice and Public Security.

Art. 11. The term established in art. 2nd may be extended, according to technical and reasoned recommendation from Anvisa.

Art. 12. Ordinance No. 478, of October 14, 2020, of the Ministers of State Chief of Staff to the Presidency of the Republic, Justice and Public Security, Infrastructure and Health is hereby revoked.

Art. 13. This Ordinance takes effect on the date of its publication.

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