



DIÁRIO OFICIAL DA UNIÃO

FEDERATIVE REPUBLIC OF BRAZIL • NATIONAL PRESS

Year CLVIII Nº 144-A

Brasília - DF, Wednesday, July 29, 2020

SEÇÃO 1

summary

Presidency of the Republic 1

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Presidency of the Republic

CIVIL HOUSE

Ordinance CC-PR / MJSP / MINFRA / MS No. 1, OF JULY 29, 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 SAFETY, 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 arts. 3, 35, 37 and 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 public health emergency declaration of importance internationalization by the World Health Organization on January 30, 2020, as a result of human coronavirus infection SARS-CoV-2 (covid-19);

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

Considering the need to give effectiveness to health measures to respond to the pandemic of Covid-19 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 transit and international passenger transportation and transportation, 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 recommendation of exceptional and temporary restriction of entry into the country, resolve:

Art. 1 This Ordinance provides for the exceptional and temporary entry restriction in the country of foreigners of any nationality, under the terms 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 by the National Health Surveillance Agency - Anvisa for health reasons related to the risks of contamination and dissemination of the coronavirus SARS-CoV-2 (covid-19).

Art. 2 The entry into the country of foreigners is restricted for a period of thirty days 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 residence, for a specified period or indeterminate, in the Brazilian territory;

III - foreign professional on mission at the service of an international organization, that 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 public interest or for humanitarian reasons; and

c) bearer of the National Migration Registry; and VI - cargo

transportation.

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

§ 2 The restrictions provided for in this Ordinance do not prevent disembarkation, authorized by the Federal Police, 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 shipping agent, with the 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 by water transport, the exceptions referred to in item II and paragraphs "a" and "c" of item V of caput they do not apply to foreigners from the Bolivarian Republic of Venezuela.

Art. 4 The restrictions mentioned in this Ordinance do not prevent: I - the execution of previously

authorized cross-border humanitarian actions by local health authorities;

II - the traffic of border residents in twin cities, through the 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 is not fit in the list referred to in art. 3rd, in the manner provided for in the legislation.

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

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

Single paragraph. In the event provided for in 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 - the corresponding air tickets must be presented. Art. 6 The restrictions mentioned in this Ordinance

do not prevent the entry of foreigners in the country by air, provided that the migratory requirements appropriate to their condition are obeyed, including that of having an entry visa, when required by the Brazilian legal system.

§ 1 The foreign passenger on a visit to the country for a short stay up to ninety days, you must present to the carrier, prior to departure, proof of purchase of health insurance valid in Brazil and with coverage for the entire period of the health authority.

§ 2 - They are temporarily prohibited during the period of validity of the present ordinance, international flights that arrive in Brazil at airports located in the following states:

I - Mato Grosso do Sul; II -

Paraíba; III - Rondônia; IV - Rio

Grande do Sul; and V -

Tocantins.

§ 3 The provisions of § 2 may be revised at any time due to ANVISA's evaluation.

Article 7. Non-compliance with the provisions of this Ordinance will imply, for the agent offender:

I - civil, administrative and criminal liability; II - repatriation or

immediate deportation; and III - disqualification of asylum

applications.

Art. 8 The regulatory bodies may edit norms complementary to the provisions this Ordinance, including sanitary rules on procedures, vessels and operations.

Article 9 - The cases omitted in this Ordinance will be decided by the Ministry of Justice and Public security.

Art. 10. The term established in art. 2nd may be extended, as technical and reasoned recommendation from Anvisa.

Art. 11. Ordinance No. 340, of June 30, 2020, of the Ministers of Head of the Civil House of the Presidency of the Republic, Justice and Public Security, Infrastructure and Health.

Art. 12. This Ordinance comes into force on the date of its publication.

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