



OFFICIAL GAZETTE OF THE UNION

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Organ: Presidency of the Republic/Chief of Staff

ORDINANCE N° 658 OF 5 OCTOBER 2021

It provides for exceptional and temporary measures for entry into the country, pursuant to Law No. 13,979 of 2020 and its amendments.

THE HEAD MINISTERS OF CHIEF OF STAFF OF THE PRESIDENCY OF THE REPUBLIC, JUSTICE AND PUBLIC SAFETY, HEALTH, AND INFRASTRUCTURE, in the use of the attributions conferred on them by Article 87, sole paragraph, items I and II of the Constitution, and Articles 3, 37, 47 and 35 of Law no. 13,844 of 18 June 2019, and in view of the provisions of Article 3, *Caput*, item VI, of Law no. 13,979 of 6 February 2020, resolve

Chapter I

Preliminary provisions

Article 1 This Ordinance provides for restrictions, measures, and exceptional and temporary requirements for entry into the country due to the risks of contamination and dissemination of coronavirus SARS-CoV-2 (COVID-19).

Single paragraph. The authorization of the entry into the country of travelers of international origin, Brazilian or foreigners, will take place in accordance with this Ordinance.

Article 2. The restrictions of this Ordinance do not apply to the carriage of cargo.

Chapter II

Air transport

Article 3. The entry into the country, by air, of the traveler of international origin, Brazilian or foreigner, is authorized, provided that the following requirements are met:



I - presentation to the airline responsible for the flight, before boarding, of a document evidencing a test for the screening of infection by the SARS-CoV-2 (covid-19) coronavirus, with a negative or undetectable result, of the antigen test type, performed within twenty-four hours prior to the time of shipment, or laboratory RT-PCR, carried out within seventy-two hours prior to the time of shipment, observing the parameters indicated in Annex I and the following criteria:

a) in the event of a flight with connections or stopovers in which the traveler remains in a restricted area of the airport, the deadlines referred to in item I of this article will be considered in relation to boarding the first leg of the trip;

b) in the event of a flight with connections or stopovers in which the traveler does not remain in a restricted area of the airport, in which the traveler performs migration, and which exceeds seventy-two hours since the performance of the RT-PCR test or twenty-four hours of the antigen, the traveler must present a document proving the performance of a new test, RT-PCR or antigen, with a negative or non-detectable result for the SARS-CoV-2 coronavirus (covid-19) at check-in for boarding to the Federative Republic from Brazil.

II - presentation to the airline responsible for the flight, before boarding, of proof, printed or electronically, of filling out the Traveler's Health Declaration - DSV, no later than twenty-four hours before boarding to the Federative Republic of Brazil, with agreement on the sanitary measures that must be complied with during the period in which you are in the country; and

Single paragraph. Aircraft crew members are exempt from presenting a test document for screening for coronavirus infection, providing that they comply with the protocol in Annex II.

Chapter III

Land Transport

Article 4. The entry into the country of foreigners, of any nationality, by highways or any other land crossings is prohibited.

§ 1 - Exceptionally, foreigners who are in a border country that maintains travel restrictions by land and needs to cross it to board a return flight to his country of residence may enter the Federative Republic of Brazil with the authorization of the immigration authority, provided that the following requirements and restrictions are complied with:



I - the foreigners must go directly to the airport;

II - there must be a formal request from the embassy or consulate of the country of residence; and

III - the corresponding air tickets must be presented.

§ 2 - The restriction imposed on the *caput* of this article does not apply:

I - the entry of foreigners into the country, by land, between the Federative Republic of Brazil and the Republic of Paraguay, provided that the appropriate migratory requirements to their condition are met, including that of carrying an entry visa, when the Brazilian legal system requires it;

II - the implementation of cross-border humanitarian actions, previously authorized by local health authorities;

III - the traffic of border residents in twin cities, by submitting a border resident's document or another supporting document, provided that reciprocity is guaranteed in the treatment of Brazilians by the neighboring country;

IV - the transport of cargo or to drivers and helpers of road freight vehicles;

V - the implementation of emergency assistance measures for the reception and regularization of migration, in accordance with the current migratory legislation, to persons in vulnerable situations resulting from migratory flow caused by a humanitarian crisis in the national territory, recognized by an act of the President of the Republic, pursuant to the sole paragraph of Article 3 of Law 13,684 of 21 June 2018, according to the means available.

VI - to the spouse, partner, son, father or guardian of a Brazilian National;

VII - whose entry is specifically authorized by the Brazilian Government in the public interest or for humanitarian reasons;

VIII - holder of National Migratory Register; and

IX – foreigners official accredited to the Brazilian Government.

§ 3 - The provisions of paragraph V of §2 of this article applies to immigrants who have entered the national territory from 18 March 2020 until the date of publication of this Ordinance.



Chapter IV

Waterway Transport

Article 6. The waterway transport of passengers, Brazilian or foreigners, is authorized, from 1 November 2021, exclusively in Brazilian jurisdictional water of cruise liners.

§ 1 - The authorization of the *caput* and the operation of vessels with passenger transport in national ports is conditioned to the prior edition of Ordinance by the Ministry of Health, which should provide for the epidemiological scenario, the definition of situations considered outbreaks of COVID-19 in vessels and the conditions for compliance with the quarantine of passengers and vessels.

§ 2 - The operation of vessels with passenger transport in national ports is conditional on the edition of an Operational Plan within the Municipality and the State, which establishes the conditions for health assistance of passengers landed in their territories and for local execution of active epidemiological surveillance.

§ 3 - The sanitary conditions for the embarkation and disembarkation of passengers and crew on cruise ships located in Brazilian jurisdictional waters, including those with foreign crew and without passengers on board from another country, will be defined in a specific act of the National Health Surveillance Agency.

§ 4 - Sanitary conditions for the embarkation and disembarkation of crew members of cargo vessels from another country and platforms located in Brazilian jurisdictional waters will be defined in a specific act of the National Health Surveillance Agency.

§ 5 - The restrictions provided for in this Ordinance do not prevent the landing, authorized by the Federal Police, of the maritime crews for medical assistance or air connection of return flight to the country of origin related to operational issues or the termination of an employment contract.

§ 6 - The authorization referred to in Paragraph 5 shall be conditioned:

- a) the signature of a term of responsibility defraying expenses arising from the transfer by the maritime agent;



- b) the presentation of a document evidencing the performance of a RT-PCR laboratory test, carried out in the seventy-two hours prior to disembarkation, or an antigen test, carried out in the twenty-four hours prior to disembarkation, to screen for SARS coronavirus infection - CoV-2 (covid-19), with negative or undetectable result;
- c) the prior consent of local health authorities; and
- d) the presentation of the corresponding air tickets.

Chapter V

Final provisions

Article 6. In addition to the restrictions, measures, and requirements provided for in this Ordinance, the entry of foreigners into the country must comply with the migration requirements appropriate to their condition, including that of carrying an entry visa when the Brazilian legal system requires it.

Sole paragraph. The immigration authority may prevent the entry into Brazilian territory of foreigners who do not comply with the requirements set forth in this ordinance and may request technical information from other border inspection authorities, if necessary.

Article 7. 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 - incapacity of an asylum application.

Article 8. The Ministries may prepare normative acts and technical guidelines to complement the provisions contained in this Ordinance provided that the scope of competence of the Ministry is observed.

§ 1 - Regulatory bodies may edit guidelines complementary to the provisions of this Ordinance, including sanitary rules on services, procedures, means of transport and operations, provided that the scope of their powers and the provisions of Law 13,979 of 2020 are observed.

§ 2 - The technical guidelines issued by the Ministries and regulatory bodies before this Ordinance entry into force remain valid.



Article 9. The Ministries may forward to the Chief of Staff of the Presidency of the Republic, in a reasoned way, cases omitted in this Ordinance and requests for exceptional circumstances, regarding compliance with sanitary requirements, to meet the public interest or humanitarian issues.

§ 1 - The exceptional requests made by the *caput* must be forwarded to the Chief of Staff of the Presidency of the Republic at least five (5) working days before the date of entry into the country.

§ 2 - The Chief of Staff of the Presidency of the Republic shall request, within an appropriate time to the urgency of the demand, the manifestation:

I - of the National Health Surveillance Agency;

II - of other bodies whose thematic relevance is related to the case, if it is necessary; and

III - of the Ministries signatories of this regulation.

§ 3 - The consensual decision of signatory Ministries shall be communicated by the Chief of Staff of the Presidency of the Republic.

Article 10. Ministries, within the scope of their powers shall adopt the necessary measures to comply with the provisions of this Ordinance.

Article 11. The documents and other requirements necessary for entry into national territory can be evaluated by the immigration authorities, or at any time, by the other Brazilian authorities, and the offender is subject to the penalties provided for in this Ordinance.

Article 12. The provisions of this Ordinance may be revised at any time whenever there is a change in the epidemiological scenario, as per prior technical manifestation of the Ministry of Health.

Sole paragraph. The epidemiological scenario will be monitored by the Health Surveillance Secretariat of the Ministry of Health.

Article 13. Ordinance no. 657 of 2 October 2021, of the Ministers of State Chief of Staff of the Presidency of the Republic, Justice and Public Security and Health is repealed.

Article 14. This Ordinance shall enter into force on the date of its publication.



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ANNEX I

TESTING PARAMETERS

Travelers of international, Brazilian or foreigner origin will be allowed to enter the country, provided that the following requirements are met:

1. The document proving the test for screening for SARS-CoV-2 coronavirus infection (COVID-19), with a negative or undetectable result, shall be presented in Portuguese, Spanish or English;

2. The RT-PCR laboratory test shall be carried out in a laboratory recognized by the health authority of the country of origin;

3. Children under the age of twelve years, who are travelling accompanied, are exempt from presenting a supporting document for testing for SARS-CoV-2 coronavirus infection (COVID-19) provided that all companions present documents with negative or undetectable results of laboratory-type RTPCR (performed up to seventy-two hours prior to the time of boarding), or antigen test, performed within twenty-four hours prior to boarding;

4. Children aged two years or older and under twelve years of age travelling unaccompanied must present documents with negative or undetectable results, laboratory type RT-PCR (performed within seventy-two hours prior to the time of boarding), or antigen test, performed within twenty-four hours prior to boarding;

5. Children under the age of two years are exempt from presenting a supporting document for testing for coronavirus infection for travel to the Federative Republic of Brazil;

6. The entry into the national territory of travellers who have had COVID-19 in the last 90 days, counted from the date of onset of symptoms, who are asymptomatic and persist with detectable RT-PCR or antigen test for coronavirus SARS-CoV-2 (COVID-19), will be allowed upon presentation of the following documents:

6.1 two detectable RT-PCR results, with an interval of at least 14 days, the last being performed within 72 hours prior to the time of shipment

6.2 antigen test with the negative or non-reactive result, after the last detectable RT-PCR result; and

6.3 medical certificate stating that the individual is asymptomatic and able to travel, including the date of travel. The certificate must be issued in the Portuguese, Spanish, or English language and contain the identification and signature of the responsible physician.



ANNEX II

PROTOCOL FOR AIRCRAFT CREW

As provided in Paragraph 1 of Article 3 of this ordinance, aircraft crew members are exempt from presenting a document proving RT-PCR laboratory testing, providing that they comply with the following protocol:

1. absence of social contact and self-isolation while staying on Brazilian soil on the commute between the airport and the hotel, when necessary - the air operator shall arrange the transfer between the aircraft and the individual accommodations of the crew in a private means of transport and ensure that hygiene measures are applied and that the physical distance between the persons is provided from the origin to the destination;

2. absence of social contact and self-isolation while staying on Brazilian soil in the accommodation - the crew must remain in a residence or a hotel room; in the latter case, the following should be observed:

2.1. only one crew member will occupy the accommodation;

2.2. the accommodation will be sanitized before and after its occupancy;

2.3. the crew will not use the hotel's common facilities;

2.4. the crew will dine in the accommodation;

2.5. if hotel room service is not available, the crew member will request a "for-the-go" meal;

3. Health care and self-monitoring - the crew should:

3.1. regularly monitor symptoms, including fever and other symptoms associated with Coronavirus SARS-CoV-2 (COVID-19);

3.2. avoid contact with the public and other crew members;

3.3. stay in the hotel room, except to seek medical attention or to perform activities considered essential;

3.4. wash hands frequently with soap and water, when possible, or hand sanitizer;

3.5. wear a mask; and

3.6. observe the physical distance when it is necessary to leave the hotel;

4. in cases of symptoms - if the crew presents symptoms associated with coronavirus SARS-CoV-2 (COVID-19) in Brazil, it should:

4.1. communicate this to the air operator;



4.2. seek medical assistance to assess possible involvement by SARS-CoV-2 (COVID-19); and

4.3. in case of a positive result, cooperate with additional monitoring, according to the protocols adopted by the local health system;

5. occupational health - the following measures will be adopted:

5.1. those responsible for the occupational health programs of air operators will maintain permanent contact with the crews to ensure the realization of self-monitoring by their employees and the execution of health protocols that reduce the risk factors associated with exposure to SARS-CoV-2 (COVID-19); and

5.2. the air operator will implement an education program to guide crews on the sanitary measures to be adopted during the period of confrontation with SARS-CoV-2 (COVID-19);

6. Crew health management plan - it is up to air operators:

6.1. develop and maintain a permanent management plan for the health of crew members, with the risk assessment of the exposure of the crew to SARS-CoV-2 (COVID-19); and

6.2. demonstrate, whenever requested, the supporting documentation of the implementation of the mitigation measures of SARS-CoV-2 (COVID-19), without prejudice to the surveillance, monitoring and control actions to be carried out by the competent authorities.