

Summary of Brazilian Citizenship and Visa Options

By Guest Contributors, [Leticia Ribeiro C. de Figueiredo](#) and [Daniela Cassitas](#)

Brazil allows for citizenship by descent via the principle of *jus sanguinis*, as well as citizenship by birth via the principle of *jus soli*.

Under the Brazilian constitution, citizens are (i) individuals born in Brazil, even if their parents are foreigners; (ii) individuals born in a foreign country, if the father or the mother is a Brazilian citizen providing services for Brazil abroad (i.e. diplomatic or military assignments); or (iii) individuals born in a foreign country, if the father or the mother is a Brazilian citizen, and the child is registered at the Brazilian Consulate or comes to reside in Brazil and chooses Brazilian nationality, at any time after reaching age 18.

Alternatively to citizenship, the local Migration Law provides several options for those who intend to migrate to Brazil. The most common options are work and family visas.

Among the work visas, companies regularly choose visas based on employment agreement, for officers/executives, or private investors.

Employment visas: For employment visas, the immigrant must be included in the local payroll and considered an employee for all legal purposes. As such, the provisions of the Labor Law also apply, meaning the immigrant will be entitled to salary adjustments provided in the Collective Bargaining Agreement, vacation, Christmas Bonus, prior notice and severance payments in case of termination. Additionally, the Migration Law provides specific requirements which both the company and the immigrant must observe, such as the execution of an employment agreement, a minimum amount of work experience in the area in which he/she will work in Brazil, and relevant educational background.

Officer/Executive Visas: The officer/executive visa, as the name indicates, is suitable for individuals who will hold management positions at a local Brazilian company. In these cases, the Migration Law requires evidence of a foreign corporate investment duly paid to the Brazilian sponsor company, equivalent to BRL 600,000.00 (USD 109,468.80) for each immigrant occupying the function.



Alternatively, it is possible to evidence a corporate investment equivalent to BRL 150,000.00 (USD 27,368.25), but the company must present a business plan demonstrating the creation of 10 jobs within 2 years. In addition to the investment evidence, the individual must be appointed under the Brazilian's company bylaws.

Private Investor Visas: Another option is the private investor visa. The Migration Law provides that the qualifying investment must be made with the immigrant's own funds (and not by means of a corporate investment, as above). In this case, the immigrant must invest the equivalent to BRL 500,000 (USD 91,227.50) duly paid to the Brazilian company, in addition to providing a detailed three-year business plan. For this visa, the immigrant is not required to hold a management position and can simply act as a passive investor/partner.

Family-based Visas: Family-based visas are also available based on marriage or stable union with a Brazilian citizen or a Brazilian son/daughter. For these visas, the main point is to evidence the relationship with the Brazilian citizen by means of a birth, marriage or stable union certificate. The good news is that upon the approval of residence based on one of these scenarios, the immigrant will be eligible to apply for Brazilian citizenship after residing in Brazil for only one year. This benefit is provided in the Migration Law for those who are related to Brazilian individuals.

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