

# OFFICIAL GAZETTE OF THE UNION

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Presidency of the Republic / Chief of Staff

## ORDINANCE No. 660, OF NOVEMBER 27, 2021

Provides for exceptional and temporary measures for entry in the country, pursuant to Law no. 13,979 of 2020.

THE CHIEF MINISTERS OF STATE OF THE CHIEF OF STAFF OF THE PRESIDENCY OF THE REPUBLIC, JUSTICE AND PUBLIC SAFETY, HEALTH, AND INFRASTRUCTURE, in the use of their powers conferred in the articles 87, sole paragraph, items I and II, of the Constitution, and articles 3, 37, 47 and 35 of Law No. 13,844, of June 18, 2019, and in view of the provisions of article 3 caput, item VI, of Law No. 13,979, of 6 of February 2020, resolve:

### CHAPTER I

#### PRELIMINARY PROVISIONS

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

Single paragraph. Authorisation for travellers of international origin, Brazilian or foreign, to enter the country, will be given under the terms of this Ordinance.

Art. 2 The restrictions mentioned in this Ordinance do not apply to the transport of cargo.

### CHAPTER II

#### AIR TRANSPORT

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

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

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

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

II - presentation to the airline responsible for the flight, before boarding, of proof, printed or electronically, of completing the Traveller's Health Declaration - DSV, within a maximum of twenty-four hours prior to departure to the Federative Republic of Brazil, with the agreement on the sanitary measures that must be complied with during the period in who is in the country.

§ 1 Aircraft crew members are exempt from presenting a document evidencing test to screen for SARS-CoV-2 coronavirus infection (covid-19), provided they comply the protocol contained in Annex II.

§ 2 It is temporarily forbidden, flights to the Republic South Africa, Republic of Botswana, Kingdom of Eswatini, Kingdom of Lesotho, Republic of Namibia, and Republic of Zimbabwe in last fourteen days.

§ 3 The provisions of § 2 do not apply to the operation of cargo flights, handled by workers wearing personal protective equipment (PPE), whose crew must observe the sanitary protocols specified in Annex III.

§ 4 The authorization to embark for the Federative Republic of Brazil is temporarily suspended for foreign travellers who have arrived from our transited through the Republic of South Africa, Republic of Botswana, Kingdom of Eswatini, Kingdom of Lesotho, Republic of Namibia and Republic of Zimbabwe in the last fourteen days

§ 5 The provisions of §4 of this article do not apply to the traveller:

- I - foreigner with permanent residence, for a fixed or indefinite period, in the Brazilian territory;
- II- foreign professional on a mission at the service of an international organisation, duly identified;
- III - foreign official accredited to the Brazilian Government; and
- IV - foreign:
  - a) spouse, partner, child, parent, or guardian of a Brazilian national;
  - b) whose entry is specifically authorized by the Brazilian Government in view of the public or for humanitarian reasons; and
  - c) holder of a National Migration Registry.

§ 6 The Brazilian traveller or whoever falls under the provisions of § 5, arriving from or transiting through the Republic of South Africa, Republic of Botswana, Kingdom of Eswatini, Kingdom of Lesotho, Republic of Namibia and Republic of Zimbabwe, in the last fourteen days before boarding, to enter Brazilian territory, must remain in quarantine, for fourteen days, in the city of its final destination.

### CHAPTER III

#### GROUND TRANSPORTATION

Art. 4 The entry into the country of foreigners, of any nationality, by highways is prohibited or any other terrestrial means.

§1 Exceptionally, the foreigner who is in a border country that maintains restriction of locomotion, by land, that needs to cross it to board a return flight to your country of residence may enter the Federative Republic of Brazil with authorization from the immigration authority, provided that the following requirements and restrictions are met:

- I - the foreigner 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 in 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 immigration requirements appropriate to its condition are complied with, including that of carrying an entry visa when this is required by the Brazilian legal system;

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

III - to the traffic of border residents in Twin Cities, upon presentation of border resident document or other supporting document, provided that the reciprocity in the treatment of Brazilians by the neighbouring country;

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

V - the execution of emergency assistance measures for reception and regularization migration, under the terms of the current immigration legislation, to people in vulnerable situations resulting from a 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 June 21, 2018, according to available means;

VI - to the spouse, partner, child, parent, or guardian of a Brazilian national;

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

VIII - holder of a National Migration Registry; and

IX - foreign official accredited to the Brazilian Government.

§3 The provisions of item V of § 2 of this article also apply to the immigrant who has entered national territory from March 18, 2020 until the date of publication of this Ordinance.

#### CHAPTER IV

##### WATERWAY TRANSPORTATION

Art. 5 The waterway transport of passengers, Brazilians or foreigners is authorized exclusively in Brazilian jurisdictional waters, by maritime cruise ships.

§1 The authorization referred to in the caput and the operation of vessels carrying passengers, in national ports, is subject to the previous edition of the Ordinance by the Ministry of Health, which must provide for the epidemiological scenario, the definition of situations considered to be outbreaks of Covid-19 on vessels and the conditions for complying with the quarantine of passengers and vessels.

§2 The operation of vessels carrying passengers, in national ports, is subject to the publication of an Operational Plan within the scope of the Municipality and the State, which establish the conditions for health care for passengers disembarked in their territories and for local implementation of active epidemiological surveillance.

§3 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 an act specific of the National Health Surveillance Agency.

§4 Sanitary conditions for the embarkation and disembarkation of crew members of cargo 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 disembarkation, authorized by the Police Federal, sea crew for medical assistance or for return air connection to the country of origin related to operational issues or termination of employment contract.

§ 6 The authorization referred to in § 5 is subject to:

a) the signing of a term of responsibility for expenses arising from transshipment signed by the shipping agent;

b) the presentation of a document evidencing the performance of the RT-PCR laboratory test, performed in the seventy-two hours prior to disembarkation, or antigen test, carried out within twenty-four hours prior to disembarkation, to screen for infection by the coronavirus SARS-CoV-2 (covid-19), with negative or undetectable result;

c) the prior consent of the local health authorities; and

d) the presentation of the corresponding air tickets.

## CHAPTER V

### FINAL DISPOSITIONS

Art. 6. The restrictions, measures and conditions provided for in this Ordinance are requirements for entry of travellers into the country, without prejudice to others suited to their migratory status, including the carry an entry visa when this is required by the Brazilian legal system. Single paragraph. The immigration authority may prevent entry into Brazilian territory of foreigners who fail to comply with the requirements set forth in this ordinance and may demand information from technical order to the other border surveillance authorities, if necessary.

Art. 7. Failure to comply with the provisions of this Ordinance will imply, for the offending agent:

I - civil, administrative, and criminal liability;

II - immediate repatriation or deportation; and

III - disqualification of asylum request.

Art. 8 Normative acts and technical guidelines may be prepared by the Ministries of to complement the provisions contained in this Ordinance, provided that the scope of competence of the Ministry.

Single paragraph. Regulatory bodies may issue additional guidelines to the provided for in this Ordinance, including sanitary rules on services, procedures, means of transport and operations, provided that the scope of its powers and the provisions of Law 13,979 of 2020 are observed.

Art. 9 The Ministries may forward to the Chief of Staff of the Presidency of the Republic, in a manner reasoned, omitted cases in this Ordinance and requests for exceptional cases, regarding the fulfilment of health determinations, to serve the public interest or humanitarian issues.

§ 1 The exceptional requests referred to in the caput must be forwarded to the Chief of Staff of Presidency of the Republic, at least five working days before entering the country.

§ 2 The Chief of Staff of the Presidency of the Republic will request, within a period appropriate to the urgency of the demand, the manifestation:

I - the National Health Surveillance Agency;

II - from other bodies whose thematic pertinence is related to the case, if understood required; and

III - of the signatory Ministries of this regulation.

§ 3 The decision, by consensus, of the signatory Ministries will be communicated by the Chief of Staff of Presidency of the Republic.

Art. 10 The Ministries, within the scope of their competences, shall adopt the measures necessary to comply with the provisions of this Ordinance.

Art. 11 Documents and other requirements necessary for entry into national territory can be evaluated by the immigration authorities, the offender being subject to the penalties provided for in this Ordinance.

Art. 12 The provisions of this Ordinance may be revised at any time whenever there is change in the epidemiological scenario, as per the prior technical manifestation of the Ministry of Health. Single paragraph. The epidemiological scenario will be monitored by the Secretariat of Surveillance in Health Ministry of Health.

Art. 13 Ordinance No. 658, of 5 October 2021, of the Chief Ministers of State is hereby revoked the Chief of Staff of the Presidency of the Republic, Justice and Public Security, Infrastructure and Health.

Art. 14 This Ordinance enters into force on the date of its publication. Single paragraph. Paragraphs 2, 3, 4, 5 and 6 of article 3 of this Ordinance enter into force from 00:00 (zero hour) of 29 November 2021.

**CIRO NOGUEIRA LIMA FILHO**

Minister of State Head of the Chief of Staff of the Presidency of the Republic

**ANDERSON GUSTAVO TORRES**

Minister of State for Justice and Public Security

**MARCELO ANTÔNIO CARTAXO QUEIROGA LOPES**

Minister of State for Health

**TARCÍSIO GOMES DE FREITAS**

Minister of State for Infrastructure

## **ANNEX I**

### **TESTING PARAMETERS**

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

1. The document evidencing the performance of a test for screening for coronavirus infection SARS-CoV-2 (covid-19), with a negative or undetectable result, must be presented in the language Portuguese, Spanish or English;

2. The RT-PCR laboratory test or antigen test with report must be performed in laboratory recognized by the health authority of the country of origin;

3. Children under the age of twelve who are traveling accompanied are exempt to present a document evidencing the performance of tests for screening for the infection by the coronavirus SARS-CoV-2 (covid-19) provided that all accompanying persons present documents with negative or undetectable result, laboratory type RT-PCR, performed within seventy-two hours prior to the time of shipment, or antigen test, carried out within twenty-four hours prior to the time of boarding;

4. Children aged two or over and under twelve who are traveling unaccompanied, must submit documents with a negative or undetectable result, of the type RT-PCR laboratory, performed within seventy-two hours prior to boarding, or test of antigen, carried out within twenty-four hours prior to boarding;

5. Children under the age of two years are exempt from presenting document evidence of testing to screen for SARS-CoV-2 coronavirus infection (covid-19) for travel to the Federative Republic of Brazil;

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

6.1. two detectable RT-PCR results, with an interval of at least fourteen days, being the last performed within seventy-two hours prior to boarding;

6.2. antigen test that presents a negative or non-reactive result, later to the last detectable RT-PCR result;

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

## **ANNEX II**

### **PROTOCOL FOR AIRCRAFT CREW**

As provided for in § 1 of art. 3 of this Ordinance, aircraft crew members are exempt to present a document evidencing the performance of a RT-PCR laboratory test or an antigen test with report, provided they comply with the following protocol:

1. absence of social contact and self-isolation while remaining on Brazilian soil in the commuting between the airport and the hotel:

1.1. when necessary - the air operator must arrange the displacement between the aircraft and the individual accommodations of the crew in private means of transport and ensure that hygiene is applied and that the physical distance between people is ensured from the origin to the destination.

2. absence of social contact and self-isolation while remaining on Brazilian soil, in accommodation. The crew must remain at home or in a hotel room, in the latter case, the following should be noted:

2.1. the accommodation will be occupied by only one crew member;

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

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

2.4. the crew will take meals at the accommodation;

2.5. if hotel room service is not available, the crew will request a meal of the "for travel";

3. health care and self-monitoring - the crew must:

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

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

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

3.4. wash your hands frequently with soap and water, when possible, or use alcohol gel;

3.5. wear a mask; and

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

4. in cases of symptoms - if the crew presents symptoms associated with the coronavirus SARS-CoV-2 (covid-19) in Brazilian territory, shall:

4.1. communicate the fact to the air operator;

4.2. seek medical assistance to assess possible involvement by SARS-CoV-2 (covid19); and

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

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

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

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

6. crew health management plan - air operators are responsible for:

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

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



### **ANNEX III**

#### **SANITARY PROTOCOLS FOR CARGO FLIGHTS**

As provided for in § 3 of art. 3 of this Ordinance, the operation of cargo flights originating from the Republic of South Africa, Republic of Botswana, Kingdom of Eswatini, Kingdom of Lesotho, of Republic of Namibia and Republic of Zimbabwe, will be carried out by workers wearing personal protective equipment (PPE), whose crew must observe the following sanitary protocols:

1. filling in the Traveller's Health Declaration (DSV), provided for in art. 3, item II of this ordinance, being exempt from presenting a document evidencing the performance of a laboratory test RT-PCR, provided that it complies with the protocol contained in Annex II of this ordinance, as applicable;

2. the disembarkation of crew members is not authorized, except in case of need emergency, previously authorized by the local health authority, in which case it must be carried out quarantine for fourteen days, under the guidance and monitoring of the health authorities of the respective state or municipality, and if the emergency disembarkation is only for transit in the airport, the crew must make constant use of face mask and social distance;

3. if necessary, the supply of food and water must be carried out by workers dressed with personal protective equipment (PPE), the disembarkation of trolleys that transport crew food;

4. the removal of solid waste and effluents generated on board is not allowed, as well as the carrying out procedures for cleaning or disinfecting the aircraft, with exceptions at the discretion of the local health authority; and

5. if the presence on board of local workers is required, the aircraft commander shall ensure that the appropriate mitigation measures are adopted.

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