

Movement of Natural Persons

- 4) Unbound, except for measures related to specialized technicians, highly qualified professionals, managers and directors

- 4) Unbound, except as indicated in the market access column

Foreign specialized technicians and highly qualified professionals may work under a temporary contract with legal entities, whether of national or foreign capital, established in Brazil. The pertinent contract must be approved by the Ministry of Labour. Approval of contracts of specialized technicians and highly qualified professionals takes into account the compatibility of their qualifications with the area of business in which the company is engaged. The company must justify the need to contract such professionals and technicians in relation to similar professionals and technicians available in Brazil.

Juridical persons must obey the proportionality of at least two Brazilians for three employees when engaged in the following activities listed in this offer: communications; land transportation; commercial stores in general; commercial offices; insurance; advertising; hotels and restaurants.

Managers and Directors appointed to affiliates of foreign companies established in Brazil will be granted access under the following conditions: designation to a position with full decision-making power; vacancy of such position; existence of associate link between the service provider in the Brazilian territory and its headquarters abroad; proof by the service provider in Brazil that the Manager or Director is performing his duties after receiving the visa. Appointment of such Managers or Directors must be related to the provision of new technology, increase in productivity or the foreign company must have invested a minimum amount of US\$ 200,000.00 (amount may be adjusted in the future to a corresponding US\$ value of

1993) in Brazil.

All other requirements, laws and regulations regarding entry, stay and work shall continue to apply.

Investment

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| 3) | In accordance with laws and regulations governing foreign investment, all foreign capital invested in Brazil must be registered with the Central Bank of Brazil to be eligible for remittances. The Central Bank establishes procedures related to remittances and transfer of funds abroad. | 3) | None |
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Commercial Presence

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| 3) | Foreign service suppliers wishing to supply a service as a juridical person must be organized as a legal entity foreseen by the Brazilian law. The Brazilian law establishes for juridical persons a separate existence from the person of its holders, thus granting the juridical person with individual existence. Consequently, a juridical person has full title and responsibility for its patrimonial rights and obligations. An entity earns the condition of private law juridical person when the correspondent incorporation act (By-Laws and/or Articles of Association) is duly filed with the appropriate Entities' Public Registry (EPR). | 3) | None |
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It is mandatory that the EPR records contain the following data on the juridical person:

- i) its denomination, purpose and location of head offices;
- ii) the description of its management, including active and passive, judicial and extra-judicial representation;
- iii) the process of amendment of the management provisions;
- iv) the provisions regarding the liability of the officers for its acts; and
- v) the provisions concerning its termination, including the destination of its assets.

The juridical persons referred as "sole proprietorship" and "partnership" in Article XXVIII, item (I) of the General Agreement on Trade in Services are not considered as such under Brazilian law.

A joint venture may be accomplished by a capital association through the formation of any type of business organization as set forth in the Brazilian law (usually a Private Limited Liability Company - Limitada - or a Corporation - Sociedade Anônima). A joint venture may also be carried out through a consórcio, which is neither a juridical person nor a form of capital association. A consórcio is used mainly with major contracts for rendering of services. It is a contract of two or more enterprises for a joint accomplishment of one specific undertaking. Each associate in a consórcio maintain its respective organizational structure.

Subsidies

1),2), Unbound
3),4)

1),2), Unbound for subsidies for Research and
3),4) Development