

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION – RMCCI

Last change: Update 59, effective as from April 01, 2013 - Circular no. 3650

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

Introduction

1. The International Capital and Foreign Exchange Market Regulation – RMCCI was established under Circular no. 3280, of March 09, 2005, with the following titles:

- a) title 1 - Foreign Exchange Market: includes purchase and sale of foreign currency and international transfers in Brazilian reals and transactions involving gold-foreign exchange instrument, as well as matters required for their regular operation;
 - b) title 2 - Brazilian Capital Abroad: includes valuables of any nature, assets in currency, goods and rights owned outside the national territory by natural and juristic persons who are resident, domiciled or headquartered in Brazil;
 - c) title 3 - Foreign Capital in Brazil: addresses foreign investments entered into Brazil and other funds gathered abroad under applicable legislation and regulation in effect.
2. Titles are divided into chapters that may be divided into sections and, in turn, in subsections, as the case may be.
3. This Regulation is available at the Central Bank page in the internet at the address www.bcb.gov.br, following “Exchange and Foreign Capital”, “Legislation and Norms”, “RMCCI”, being understood that in case of differences between the form on the internet and that published on the Federal Official Gazette (*Diário Oficial da União*) DOU, the form on the DOU shall prevail.
4. Any changes to this Regulation will be made by replacement of the changed portions, keeping the Regulation entirely updated, while previous versions shall be also available in the Internet.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

RMCCI Table of Contents

TITLE	NUMBER
Foreign Exchange Market	1
Brazilian Capital Abroad	2
Foreign Capital in Brazil	3

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

Title Index

CHAPTER	NUMBER
General Provisions	1
Market Agents	2
Foreign Exchange Contract	3
Preliminary Provisions - 1	
Execution and Registration in the Foreign Exchange System - 2	
Advancements on Foreign Exchange Contract - 3	
Amendment - 4	
Settlement - 5	
Cancellation or Write-off - 6	
Financial Charge - 7	
Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad	4
Interbank Operations in Brazil - 1	
(Revoked) Circular no. 3591/2012 - 2	
Operations with Institutions Abroad - 3	
Foreign Exchange Position and Operating Ceiling	5
Foreign Exchange Position - 1	
Operating Ceiling - 2	
Operation documentation and customer filing	6
Operations follow-up	7
Coding of Foreign Exchange Operations	8
General Provisions - 1	
Nature of Operation - 2	
Relationship - 3	
Form of Foreign Currency Delivery - 4	
Financial Transfers	9
General Provisions - 1	
(Revoked) Circular no. 3493/2010 - 2	
(Revoked) Circular no. 3376/2008 - 3	
Government Remittances - 4	
(Revoked) Circular no. 3493/2010 - 5	
International Travels, Card of International Use and Postal Transfers	10
International Travels - 1	
Card of International Use - 2	
Postal Transfers - 3	
Tourism Services - 4	
Export	11
General Provisions - 1	
Foreign Exchange Contracting - 2	
(Revoked) Circular no. 3454/2009 - 3	
Advance Receipt - 4	
Agent Fee - 5	
(Revoked) Circular no. 3401/2008 - 6	
Cancellation and Write-Off of Foreign Exchange Contract - 7	
(Revoked) Circular no. 3454/2009 - 8	

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

Title Index

Simplified Foreign Exchange - 9	
Financed Exports - 10	
Import	12
General Provisions - 1	
(Revoked) Circular no. 3454/2009 - 2	
Prepayment and Payment on Demand - 3	
Simplified Foreign Exchange - 4	
Fines on Import Operations - 5	
Accounts of Individuals Domiciled Abroad in Domestic Currency and International Transfers in Reals	13
General Provisions - 1	
Transactions - 2	
Fulfillment of Payment Orders in Domestic Currency - 3	
Account in Foreign Currency	14
General Provisions - 1	
Tourism Agencies and Suppliers of Tourism Services Restricted Operation Accounts - 2	
Embassies, Foreign Legations, and International Organizations - 3	
<i>Empresa Brasileira de Correios e Telégrafos – ECT</i> (Brazilian Post and Telegraph Company) - 4	
International Credit Card Management Companies - 5	
Companies in Charge of Implementing and Developing Energy Sector Projects - 6	
Foreign Individuals Temporarily in Brazil and Brazilians Resident Abroad - 7	
Insurance Societies, Reinsurance Societies and Reinsurance Brokers - 8	
Carriers Resident, Domiciled or Headquartered Abroad - 9	
Agents Authorized to Operate in the Foreign Exchange Market - 10	
(Revoked) Circular no. 3376/2008 - 11	
Subsidiaries and Branches, Abroad, of Brazilian Financial Institutions -12	
Operations in Gold	15
Countries Featuring Special Foreign Exchange Provisions	16
General Provisions - 1	
United Nations Security Council (UNSC) - 2	
Cuba - 3	
Hungary - 4	
Countries which do not apply the recommendations of the Financial Action Group against Money Laundering and the Financing of Terrorism (FATF) - 5	
Agreement on Reciprocal Payments and Credits (CCR)	17
General Provisions - 1	
(Revoked) Circular no. 3530/2011 - 2	
(Revoked) Circular no. 3530/2011 - 3	
(Revoked) Circular no. 3530/2011 - 4	
Admissible Payment Instruments - 5	
(Revoked) Circular no. 3530/2011 - 6	
(Revoked) Circular no. 3530/2011 - 7	
(Revoked) Circular no. 3530/2011 - 8	
Registration in the CCR System and Releases in the Daily Summaries - 9	
Specific Regulation about Exports - 10	
Specific Regulation about Imports - 11	

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

Title Index

APPENDIX	NUMBER
Form of foreign exchange contract with clients	1 (NR)
(Revoked) Circular no. 3545/2011	
(Revoked) Circular no. 3545/2011	
(Revoked) Circular no. 3545/2011	
(Revoked) Circular no. 3591/2012	
(Revoked) Circular no. 3591/2012	
Form of type 7 purchase foreign exchange contract	7
Form of type 8 sale foreign exchange contract	8
Form of type 9 purchase foreign exchange contract	9
Form of type 10 sale foreign exchange contract	10
Form of purchase and sale ticket	11
Financial Charge – form of communication to the company liquidator	12
Financial Charge – form of collection from a bank under intervention or liquidation	13
Form of communication from the bank under intervention or extra-judicial liquidation	14
Brazil/Hungary Adjustment – Form of letter submitting the summary and assessment of net values to be paid and/or received.	15
Brazil/Hungary Adjustment – Form of reimbursement statement due to the Central Bank of Brazil related to operations of foreign exchange sale	16
Brazil/Hungary Adjustment – Form of request for reimbursement	17
CCR – Form of letter for admission to the Agreement	18
(Revoked) Circular no. 3530/2011	20
(Revoked) Circular no. 3530/2011	21
(Revoked) Circular no. 3530/2011	22
CCR – Form of communication on “triangular operation”	23

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 1 - General Provisions

1. This title deals with regulatory provisions and procedures related to the exchange market under Resolution no. 3568, of May 29, 2008.
2. The provisions under this title apply to operations performed in the foreign exchange market, which includes:
 - a) foreign currency purchase and sale operations and transactions in gold as foreign exchange instrument, performed with institutions authorized by the Central Bank of Brazil to operate in the foreign exchange market, as well as domestic currency operations between residents, domiciled or headquartered in Brazil and residents, domiciled, or headquartered abroad;
 - b) operations related to transfers to and from other countries by use of international cards, as well as the performance of international postal transfers of money, including postal vouchers and international postal reimbursements.
3. Natural and juristic persons may purchase and sell foreign currency and perform international transfers in Brazilian reals, of any nature, without limitation of amount, regarding that the counterparty in the operation is an agent authorized to operate in foreign exchange, observed the legality of the operation, based on the economic framework of the operations and the responsibilities defined in the appropriate documentation.
4. (Revoked) Circular no. 3390/2008
5. The provisions of paragraph 3 also apply to purchases and sales of foreign currency by natural or juristic persons who are resident, domiciled or headquartered in Brazil, with bank authorized to operate in the foreign exchange market for the purpose of building assets abroad and returning such assets as well as back to back operations.
- 5-A. Additionally, the following provisions are applicable to operations performed in the foreign exchange market operations conducted in the foreign exchange:
 - a) financial transfers related to investments abroad by financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil must comply with specific regulation;
 - b) investment funds may transfer resources to and from abroad related to investments abroad must comply with the regulation issued by the Securities and Exchange Commission and with the foreign exchange regulation issued by Central Bank of Brazil;
 - c) financial transfers related to investments abroad by pension funds must comply with specific regulation.
6. Provisions specific to each operation, dealt with in appropriate titles of this Regulation, shall be observed so that transfers to and from other countries shall depend, in addition, on compliance and observance of applicable legislation and regulation on the matter, including those from other government bodies.
7. Transfers of funds under this Regulation imply assumption by the client, under the penalties of the law, of responsibility for the legitimacy of the documentation produced before the agent authorized to operate in the foreign exchange market.
8. The settlement, in the foreign exchange market, in foreign currency equivalent, of commitments in domestic currency, of any nature, entered into between natural or juristic persons who are resident, domiciled or headquartered in Brazil and natural and juristic persons who are resident,

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 1 - General Provisions

domiciled or headquartered abroad is permitted, provided the appropriate documentation is properly produced.

9. Performance of operations aimed at protecting against the risk of interest rate change, parities between foreign currencies and prices of goods in the international market shall observe the provisions of title 2, chapter 4 of this Regulation.
 10. Natural and juristic persons who are resident, domiciled or headquartered in Brazil may honor his external commitment:
 - a) in foreign currency, through foreign exchange operation;
 - b) in domestic currency, crediting the funds to the current account of the natural or juristic person who is resident, domiciled or headquartered abroad, such account opened and maintained in Brazil under the legislation and regulation in effect;
 - c) with use of his own abroad assets, duly complying, as the case may be, with specific statements contained in legislation in force, specially the provisions of title 2, chapter 2.
 11. Operations in the foreign exchange market mentioned by this Regulation shall be performed solely through market agents authorized by the Central Bank of Brazil for such purpose, as defined in chapter 2 of this title.
 12. For the purpose of this Regulation, references to purchase and to sale of foreign currency mean that the agent authorized to operate in the foreign exchange market is either the buyer or the seller, respectively.
 13. Payments to and receipts from foreign countries shall be performed, as a general rule, through bank transfers or other means specifically foreseen by applicable legislation and this Regulation.
 - 13-A. In the case of remittance to offshore, the respective electronic message must contain the name, number of identification number, address and number of bank account or CPF/CNPJ of the sender of the order, when the means of delivery of currency by the issuer is not for debit onto account.
 - 13-B. Money inflows by means of electronic messages which do not include the name, address, identification document and bank account of the issuer abroad must be the object of special care on the part of financial institutions.
 14. The institution authorized to operate in the foreign exchange market must promptly notify the beneficiary on the receipt of payment order in foreign currency coming from abroad in his/her name, informing him/her that the payment order can be negotiated in full or in installments.
 15. (Revoked) Circular no. 3390/2008
 16. (Revoked) Circular no. 3390/2008
 17. A payment order not completed abroad shall be the subject of a foreign exchange contract with the former taker of such order, under the same foreign exchange classification of the transfer abroad and code of the specific group, and the bank shall communicate the event to such taker within three business days from the date in which the bank received the information of the failure to complete the payment order from its correspondent abroad.
 18. (Revoked) Circular no. 3545/2011
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 1 - General Provisions

19. The foreign exchange rate is freely adjusted between the agents authorized to operate in the foreign exchange market or between such agents and their clients, being the foreign exchange operations contracted for immediate or future settlement and, in the case of term interbank operations, observing that:
- a) for immediate or future settlement, the foreign exchange rate shall reflect solely the price of the currency traded on the date of the foreign exchange contract, being permitted, in operations for future settlement, the negotiation of a premium or bonus;
 - b) for term settlement, the foreign exchange rate is freely negotiated between the parties and shall reflect the foreign currency price traded on the date the foreign exchange operation is settled.
20. The purchase or the sale of foreign currency at rates in disagreement with the market, or at rates which may indicate foreign exchange evasion and price manipulation or artificial price formation are subject to the penalties and other sanctions envisaged by applicable legislation and regulation in effect.
21. In order to determine the equivalence in United States dollars of foreign exchange operations performed with other foreign currencies, one shall use the parity correlation more recently available, on the date of the event, in Sisbacen, transaction PTAX800, option 1.
- 21-A. In foreign exchange operations performed with clients for prompt settlement up to US\$100,000.00 (one hundred thousand United States dollars) or its equivalent in other currencies, the agents authorized to operate in the foreign exchange market must transmit to Central Bank of Brazil the Total Effective Value (VET), in reals per unit of foreign currency and calculated considering the exchange rate, taxes and tariffs eventually charged. (NR)
22. Agents authorized to operate in the foreign exchange market, as well as companies responsible by financial transfers related to use of international cards and companies performing postal international financial transfers shall comply with the foreign exchange legislation and regulation.
23. Agents authorized to operate in the foreign exchange market shall comply with the rules to perfectly identify their clients as well as to assess the responsibility of the appropriate parties regarding the legality of operations performed.
- 23-A. In the purchase and sale of foreign currency held by banknotes disperser machine, customer shall be identified by:
- a) card of international use with electronic validation of ownership, or
 - b) passport with data that can be electronically read and validated. (NR)
24. In a foreign currency sale operation, the equivalent value in domestic currency shall be accepted by the seller by means of:
- a) debit in the account held by the purchaser;
 - b) receipt of a crossed check issued by the purchaser, nominative to the seller and not endorsable; or
 - c) Electronic Available Transfer (TED) or any other bank order for the transfer of funds, provided that such order is issued in the name of the buyer and the corresponding funds are debited in an account held by such buyer.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 1 - General Provisions

25. In a foreign currency purchase operation, the equivalent value in domestic currency shall be delivered to the seller by means of:
- a) credit in the account held by the seller;
 - b) TED or any other bank order for the transfer of funds to be credited in account held by the seller;
 - c) check issued by the buyer, nominative to the seller, crossed and not endorsable.
- 25-A. (Revoked) Circular no. 3493/2010
- 25-B. In transactions up to US\$ 3,000.00 (three thousand dollars) or its equivalent in other currencies, the receipt and delivery of the domestic currency and the foreign currency may be performed also using banknote dispenser machines. (NR)
26. The provisions of paragraphs 24 and 25 above do not apply to purchases and sales of foreign currency the equivalent value of which in domestic currency is below R\$ 10,000 (ten thousand Brazilian reais) for each customer, a case in which payment or receipt of the amount in Brazilian reais may be accepted through any means of payment used in the financial market, including payment in cash.
- 26-A. In addition to the specific information required by this Regulation, it must be identified in Integrated System of Registration of Foreign Exchange (Foreign Exchange System) the name of the sender or recipient of the funds coming from abroad, the country and its relationship with the customer of the transaction. (NR)
27. (Revoked) Circular no. 3390/2008
28. In case the operation underlying the transfer is not completed in imports where prepayment abroad is required, the buyer of foreign currency shall cause the corresponding funds to return to Brazil, under the same classification used to make the remittance abroad, when the funds are effectively reimbursed, using the specific group code.
29. Fractioning of foreign exchange agreements is not permitted for the use of any right specially granted under this regulation. (NR)
30. Financial institutions and the other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market, may convert manual foreign exchange in drafted foreign exchange and drafted foreign exchange into manual foreign exchange among them or with financial institutions abroad.
31. The Central Bank of Brazil may, at its discretion, transform manual foreign exchange into drafted foreign exchange and vice-versa, as well as perform arbitrage operations upon request by financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market.
32. Intervention of brokerage societies is optional in contracting of foreign exchange operations of any nature, notwithstanding the value of the operation, and the appropriate brokerage fee is freely agreed between the parties.
33. Foreign exchange contracting and international transfer in Brazilian reais related to payments due to other countries and receipts due to Brazil must be processed separately under the total value of the same nature.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 1 - General Provisions

34. Foreign exchange contracts or international transfers in Brazilian reais (TIR) that have settlement (in the case of foreign exchange contracts) or Sisbacen recording (in the case of TIR) on a same date, the contracting and the TIR recording must be made using the gross amounts and the inward and outward transfers can be made at its net value, regarding the legitimacy of the creditor/debtor in compliance with the regulation.
35. Simultaneous foreign exchange operations or simultaneous international transfers in Brazilian reais are considered effective operations for all purposes, in compliance with all operating procedures envisaged in applicable regulation and evidenced taxes payment related to the operations.
36. In case of assumption of obligation to foreign loan transaction, subject to registration with the Central Bank of Brazil, contracted directly or through the issuance of securities abroad, simultaneous exchange transactions or international transfers in reais should be performed by the assignee of the obligation.
37. The settlement of the simultaneous foreign exchange operations in the form of currency delivery alien is classified as "symbolic" should be ready and have the same value and currency. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 2 - Market agents

1. Authorizations for the performance of operations in the foreign exchange market may be granted by the Central Bank of Brazil to multiple banks, commercial banks, savings banks, investment banks, development banks, foreign exchange banks, development agencies, credit, financing and investment societies, securities and stocks brokerage societies, securities and stocks dealers societies and foreign exchange brokerage societies.
 2. A specific chapter of this title foresees the utilization of international use cards, as well as the carrying out of international postal financial transfers, including postal voucher and international postal refund.
 3. Agents of the foreign exchange market may perform the following operations:
 - a) banks, except development banks, and savings banks: all operations mentioned in this Regulation;
 - b) development banks, credit, financing and investment societies and development agencies: specific operations authorized by the Central Bank of Brazil;
 - c) securities and stocks brokerage societies, securities and stocks dealers societies and foreign exchange brokerage societies:
 - I - (Revoked) Circular no. 3575/2012
 - II - (Revoked) Circular no. 3575/2012;
 - III - foreign exchange operations contracted for prompt settlement up to the limit of US\$100,000.00 (one hundred thousand United States dollars) or its equivalent value in other currencies;
 - IV - (Revoked) Circular no. 3390/2008; and
 - V - interbank market operations contracted for prompt settlement, arbitrage operations in Brazil and, through a bank authorized to operate in the foreign exchange market, arbitrage operations with other countries;
 - d) tourism agencies: purchases and sales of foreign currency in cash, checks and travelers checks related to international travels, observing the provisions of paragraph 5.A of this chapter;
 - e) (Revoked) Circular no. 3575/2012.
 - 3-A. It is optional the foreign exchange operation on installments of payments or receipts provided for in disbursement schedule regarding business whose total value exceeds the said limit, when observed in each installment, the limit referred in item 3, "c", III, (NR)
 4. To be authorized to operate in foreign exchange, the financial institution shall:
 - a) (Revoked) Circular no. 3390/2008
 - b) indicate the director responsible for operations performed in the foreign exchange market.
 - c) present project, according to Central Bank of Brazil stipulation, designating at least the basic operational objectives and actions developed to assure compliance with foreign exchange regulation and to prevent and restrain money laundering crimes as defined by Law no. 9613, of March 03, 1998.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 2 - Market agents

5. (Revoked) Circular no. 3575/2012

5-A. The authorizations to operate in the foreign exchange market of the tourism agencies and tourism lodging facilities will expire in December 31, 2009, observing that if a specific authorization request is presented by the final controllers of tourism agencies and tourism lodging facilities to the Central Bank of Brazil up to November 30, 2009, duly supported by the documents of paragraphs 1 to 7:10 to 18 of Annex VII of Circular no. 3179 of February 26, 2003, aiming at the establishment and operation of the institution of the National Financial System capable of operating in the foreign exchange market, the period of validity of the authorization currently held to operate in the foreign exchange market shall observe the following provisions, without prejudice to later compliance with other instruction requirements for the conduct of proceedings, according to current regulation:

- a) if the request is granted, the authorization granted to the travel agency or to the tourism hosting facility will expire concurrently with the start date of the activities of the new authorized institution, respecting the deadline set in the business plan, and
- b) in case of filing or rejection of the application, the authorization granted to the travel agency or to the tourism hosting facility will lose validity thirty (30) days after the decision of the Central Bank of Brazil. (NR)

5-B. Permits to operate in the Foreign Exchange market held by other travel agencies and the tourist lodging facilities expired on December 31, 2009

6. Regarding authorizations to operate in the foreign exchange market, the Central Bank of Brazil may, reasonably:

- a) revoke on a temporary basis such authorization for reasons of convenience and opportunity;
- b) terminate the authorization in case of irregular action evidenced in administrative proceeding, or provisionally suspend the authorization under applicable legislation;
- c) cancel the authorization for the reason that the institution has failed to perform a foreign exchange operation over a period of eighty days.

7. The financial institutions and other institutions authorized to operate by the Central Bank of Brazil, authorized to operate in the foreign exchange market, can open a permanent or provisional post for the undertaking of foreign exchange operations, after carrying out its registration in the Information System on Entities Related to the Central Bank (Unicad) up to the day prior to the date of start of their operations.

8. To the effects of the registration mentioned in paragraph 7 it is considered a post of foreign exchange a place used to conduct foreign exchange operations located outside of any of the dependencies of the institution.

8-A. The institutions referred to in paragraph 1, when authorized to operate in the foreign exchange market, may contract, in the ways provided in article 9 of Resolution no. 3954, of February 24, 2011, companies, entrepreneurs, associations defined in Law No. 10.406, of 10.01.2002 (Civil Code), providers of notary and registration services dealt with Law No. 8935 of 18.11.1994, and public companies. (NR)

- a) (Revoked) Circular no. 3607/2012
- b) (Revoked) Circular no. 3607/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 2 - Market agents

9. (Revoked) Circular no. 3390/2008
10. The contracting institution mentioned in item 8.A must follow Resolution no. 3954, of February 24, 2011, where applicable, and must have full and unrestricted access to the documentation related to identification of the clients and the operations conducted by the hired company. (NR)
- 10-A. The identification data of the contracted companies must be registered with Unicad prior to undertaking of the transactions foreseen in item 8-A.
- 10-B. The contracting institution must transmit, via internet, to Central Bank of Brazil by the 10th day of each month (following instructions found on the site www.bcb.gov.br, Sisbacen menu, option "Transferência de arquivos"), the list of deals performed in the previous month with intermediation of the hired company as established in paragraph 8-A, indicating their classification either as an international travel or a current transfer operation, as well as the client's identification (name and CNPJ/CPF number, or, in case of foreigners, name and passport number or any other document foreseen in the regulation which supported his entry in Brazil), the traded currency, the foreign exchange rate, the traded value in domestic and foreign currencies, the Total Effective Value (VET), the country and the beneficiary or sender abroad. A file informing the inexistence of operations must be transmitted, within the same delay, also when no occurrences take place in a month, or as otherwise defined by Central Bank/Desig. Layout and making instructions for file transmission to Central Bank are available at Central Bank site "[www.bcb.gov.br/menu/cambio e capitais estrangeiros / Sistemas / Transferências de arquivos](http://www.bcb.gov.br/menu/cambio_e_capitais_estrangerios/Sistemas/Transferencias_de_arquivos)". (NR)
- 10-C. The institution authorized to operate in the foreign exchange market may use the same monthly transmission procedure regarding current transfer and international travel operations directly conducted with its clients.
- 10-D. In respect of the foreign exchange operations performed according to the mentioned procedure, either directly by the contracting institution or by the hired institution:
- a) the operations are limited to US\$3,000.00 (three thousand United States dollars) or its equivalent in other currencies;
 - b) (b)it is mandatory to give the client corroboration of every deal performed including the identification of the parts, the foreign currency, the foreign exchange rate, the value in domestic and foreign currencies, and the Total Effective Value (VET);
 - c) the foreign exchange position of the contracting institution is modified daily based on the records of the consolidated amount of purchase and sale of foreign currency operations (operations performed directly by the contracting institution and by group of hired companies) for each foreign currency, the contracting institution figures in as both buyer and seller, with a specific operation nature code, given that the clearance of these transactions occur in an automatic way. (NR)
- 10-E. In case of the monthly transmission procedure of data regarding transactions performed through banknotes disperser machines, the internet transmission to Central Bank of Brazil shall be done by the 10th day of each month (following instructions found on the site www.bcb.gov.br / Câmbio e Capitais Internacionais menu / Sistemas / Transferência de arquivos).
11. (Revoked) Circular no. 3390/2008
12. (Revoked) Circular no. 3390/2008
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 2 - Market agents

13. The tourism agencies still authorized to operate in the foreign exchange market by the Central Bank of Brazil that choose to perform its operations by means of the agreement referred to in paragraph 8-A must, previously:
- a) sell the foreign exchange balance recorded with Sisbacen to a financial institution authorized to operate in the foreign exchange market; and
 - b) request Central Bank of Brazil to revoke its authorization.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 1 - Preliminary Provisions

1. A foreign exchange contract is a specific instrument executed between the seller and the buyer of foreign exchange, where the characteristics and conditions of the foreign exchange operation are determined.
2. Foreign exchange operations shall be recorded under the Foreign Exchange Contract and should be recorded with the Integrated System of Foreign Exchange Operation as provided in Section 2, Chapter 3, with the registration date being the same as of the date of the contract celebration. (NR)
3. Formalization of foreign exchange operations shall follow the models mentioned in appendices 1 or appendices 7 to 10 of this title.
4. The authorized institution can adapt the printing characteristics of the foreign exchange contract without previous consent by the Central Bank of Brazil, observed the completeness of the required information
5. Regarding the signatures on a foreign exchange contract:
 - a) the Central Bank of Brazil acknowledges as valid a digital signature in a foreign exchange contract using digital certificates issued in the context of Infra-Estrutura de Chaves Públicas (ICP – Brasil), remaining a responsibility of the intervening agent the adequate use of the digital certification by the client in the operation, including the responsibility of other signatories and validity of digital certificates involved.
 - b) in case of manual signature, it shall be applied after the printing of the foreign exchange contract, in not less than two originals to be delivered one to the buyer and the other to the seller of the foreign currency. (NR)
6. In case of digital certification in the context of ICP - Brasil, the agent authorized to operate in the foreign exchange market, trader of the foreign currency, shall:
 - a) use an application program for the digital signature according to the standard set by the Central Bank of Brazil/Department of Information Technology;
 - b) be prepared to make promptly available to the Central Bank of Brazil, for a term of five years from the closing of the fiscal year in which the contract has been executed, settled or written-off, as the case may be, a hardcopy of the foreign exchange agreement, including the expression “digitally signed foreign exchange agreement”;
 - c) maintain, for the same term, in electronic medium, the original file of the foreign exchange contract, digital signatures and respective digital certificates.
7. In case of manual signature, the signature of the parties intervening in the foreign exchange agreement is an indispensable requisite to be included in the copy delivered to the agent authorized to operate in the foreign exchange market, and one original of the foreign exchange agreement shall be kept in the archives of such agent for a term of five years from the closing of the fiscal year in which the contract has been executed, settled, cancelled or written-off, as the case may be.
8. Upon performing a foreign exchange operation, the intervening parties shall state to be fully informed of the foreign exchange rules in effect, especially Law no. 4131, of September 03, 1962, as amended, particularly Article 23 of such Law no. 4131, the text of Paragraphs 2 and 3 of such Article 23 shall be included verbatim in the related foreign exchange ticket. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 1 - Preliminary Provisions

9. The settlement, cancellation and write-off of a foreign exchange contract do not eliminate any responsibility that may be attached to the parties and the intervening broker under applicable legislation and regulation arising from investigations that may be conducted by the Central Bank of Brazil.
10. The types of foreign exchange contracts and respective applications are the following:
 - a) purchase: intended for the purchase of foreign currency of clients;
 - b) sale: intended for the sale of foreign currency to clients;
 - I - (Revoked) Circular no. 3545/2011
 - II - (Revoked) Circular no. 3545/2011
 - c) (Revoked) Circular no. 3545/2011
 - d) (Revoked) Circular no. 3591/2012;
 - e) types 7 and 8: foreign exchange contract amendments, being type 7 purchase and type 8 sale foreign exchange contract amendments;
 - f) types 9 and 10: cancellation of foreign exchange contract, being type 9 purchase and type 10 sale foreign exchange contracts, used also, as an adaptation, for the write-off of foreign exchange positions;
 - g) (Revoked) Circular no. 3545/2011. (NR)
11. Other clauses agreed by the parties shall be inserted in the foreign exchange contract and should be informed to the Central Bank of Brazil only if requested. (NR)
12. (Revoked) Circular no. 3545/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 2 - Execution and Registration with Sisbacen
SUBSECTION : 1 - General Provisions

1. The financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market, shall observe the following timetable for using the Foreign Exchange System., Brasilia Time (BRT), except for interbank electronic operations that are under chapter 4:
 - a) standard timetable:
 - i. record of events in the primary foreign exchange market:
 - opening: 9:00 am
 - closing: 7:00 pm
 - ii. consultations:
 - opening: 8:00 am
 - closing: 9:00 pm
 - iii. services available on the Foreign Exchange System:
 - opening: 8:00 am
 - closing: 9:00 pm
 - b) timetable of exception: under exceptional conditions and by communicating to the market the Department of Financial System Monitoring and Information Management – Desig may establish a timetable of exception for the record of events in the primary foreign exchange market.
 - c) trades after the hours above will be registered as trades occurred in the next day. (NR)
2. (Revoked) Circular no. 3591/2012
- 2-A. The information on foreign exchange transactions performed with clients and, from July 2, 2012, the information on interbank foreign exchange transactions performed by institutions authorized to operate in foreign exchange shall be sent by messaging, according to standard models disclosed in the message catalog of the Central Bank of Brazil, which contains the instructions for the design and formatting of the message, the valid field values, and the flows followed by reception processing and validation of the messages.
3. Foreign exchange brokers may, as intermediating agents in foreign exchange operations, record, edit, and cancel the foreign exchange agreement for later performance of the operation by the authorized bank.
4. The issues of contracting, amendment and cancelation can only be confirmed by the authorized bank the same day. (NR)
 - a) (Revoked) Circular no. 3545/2011
 - b) (Revoked) Circular no. 3545/2011
5. (Revoked) Circular no. 3591/2012.
6. In exceptional circumstances, the cancelation of the registration of the contract is only to correct errors and eliminate duplication, observed that:
 - a) if it occurs at a later date than the contracting date, the registration canceled due to error must be linked to the record that succeed and the registration canceled because of

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 2 - Execution and Registration with Sisbacen
SUBSECTION : 1 - General Provisions

duplication must be linked to the record which will be kept at the base of the Central Bank of Brazil, which may determine its reversal in situations deemed inappropriate;

- b) if it occurs at the same day of the contracting the linking is optional.
7. (Revoked) Circular no. 3545/2011
8. The contracting of a foreign exchange contract cancellation comes into effect by agreement of the parties under the principles of applicable legal and regulatory order.
9. Any mention or complementary information derived from specific rules shall be included in the field "Other Specifications" of the foreign exchange contract.
10. (Revoked)
11. The following operations are recorded with Sisbacen and released from formalization of a foreign exchange contract:
- a) foreign exchange operations related to arbitrage conducted with a banker abroad or with the Central Bank of Brazil;
 - b) foreign exchange operations in which a single bank is both buyer and seller of the foreign currency;
 - c) cancellations of foreign exchange contract balances not exceeding US\$5,000 (five thousand United States Dollars), or equivalent amount in other currencies;
 - d) interbank operations with financial institutions from abroad;
 - e) sales or purchases operations of foreign currency up to US\$3,000 (three thousand United States dollars) or its equivalent amount in other currencies.
12. (Revoked) Circular no. 3545/2011.
- 12-A. The data from the foreign exchange operations should match the account balances of the financial institutions authorized to operate by the Central Bank of Brazil (NR)
- 12-B. The record of the foreign exchange transaction in a different date than the actual transaction will only be allowed in situations treated under the item 6 of this subsection, subjected to the contingency of the Foreign Exchange System or from situations resulting from factors beyond the control of the institutions authorized to operate in the foreign exchange market. (NR)
13. Institutions authorized to operate with foreign exchange shall maintain a database of their exchange operations updated and available to the Central Bank of Brazil, observed that this database replaces, for all purposes and effects, the document "General Record of Foreign Exchange Operation – RGO".
14. Tourism agencies and tourist lodging facilities authorized to operate in the foreign exchange market shall record each business day at Sisbacen – transaction PMTF, not later than 12:00 pm (BRT) the information related to its operations performed the previous day or, in case there had not been operations, an express indication of such event, by means of the same Sisbacen

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 2 - Execution and Registration with Sisbacen
SUBSECTION : 1 - General Provisions

transaction, being understood that operations on Saturdays, Sundays, holidays and any day which is not a business day shall be incorporated to the subsequent business day.

15. Manual foreign exchange operations conducted by post located in different city of the authorized agent to operate in the foreign exchange market shall be recorded in Sisbacen not later than the first business day subsequent to the date of the event.
16. Codes identifying each type of operation are included in chapter 8.
17. Tourism agencies and tourist lodging facilities shall record their operations with Sisbacen under the following procedures:
 - a) when interlinked to Sisbacen: enter the records directly to the System, including the indication that no operation has been conducted in the day;
 - b) when not interlinked to Sisbacen: enter the records through its centralizing institution, to which the necessary information shall be transmitted on a daily basis, including, as the case may be, the indication that no operation has been conducted in the day, observed that only one centralizing institution may be elected for each city where the authorized institution operates, even in case that there are several dependencies/foreign exchange units authorized for that institution.
18. The centralizing institution mentioned in subparagraph 17.b above is freely elected by the authorized institution, being mandatory that, in addition to being interlinked to Sisbacen, the institution is authorized to operate in the foreign exchange market
19. Any change in the centralizing institution shall be notified to the Central Bank of Brazil (Department of Financial System Monitoring and Information Management - Desig) at least thirty days before the change date, under the following procedures:
 - a) the notice sent to the Central Bank of Brazil shall include express agreement of the new centralizing institution and of the institution being replaced;
 - b) the date for commencement of operations recording shall be the first business day of the appropriate week;
 - c) in the absence of notice to the contrary to the Central Bank of Brazil, as from the established date the new centralizing institution shall assume the responsibility for transmitting the data to Sisbacen, and shall gain access to all data related to the centralized institution, including past operations and consolidated records.
20. Messages from the Central Bank addressed to an agent authorized to operate in the foreign exchange market are transmitted either through Sisbacen or directly to the institution indicated by such agent as authorized to record its operations with the System, in case the agent is not interlinked to Sisbacen.
21. An agent authorized to operate in the foreign exchange market which is not interlinked to Sisbacen and its centralizing institution remain responsible for the information entered the System, and the centralizing institution is responsible for the faithful recording, with Sisbacen, of the information transmitted to it.
22. For exchange transactions contracted up to September 30, 2011:

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 2 - Execution and Registration with Sisbacen
SUBSECTION : 1 - General Provisions

- a) any amendments, cancellations or write-offs shall be made on specific functions available in Sisbacen and are subject to the rules applicable to the operations of the kind;
- b) registration of amendment, of liquidation, of cancellation and of white-off shall be made on transaction PCAM300, or exceptionally, except in relation to amendment, on transaction PCAM500.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 2 - Execution and Registration with Sisbacen
SUBSECTION : 2 - (Revoked) Circular no. 3545/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 3 - Foreign Exchange Contract

SECTION : 3 - Advancements on Foreign Exchange Contract

1. An advance on a foreign exchange contract is a partial or total advance on account of the price, in domestic currency, of the foreign currency bought for future delivery, and may be granted at any time, at the discretion of the parties.
2. A cancellation of write-off off a foreign exchange contract with advance shall comply with the provisions of section 7 of this chapter.
3. In the case of export, the value of the advance shall be included in the foreign exchange contract itself, by the following annotation: "For the legal purposes and effects of Article 75 (and respective paragraphs) of Law no. 4728, of July 14, 1965, the amount of R\$_____ is hereby annotated on account of this foreign exchange contract".
4. The annotation mentioned in paragraph 3 above may be supplemented by the following expression: "Operation linked to the use of the credit obtained with (indicate the name of the banker abroad, country and city)."
5. In case of bankruptcy, extra-judicial liquidation or intervention in the financial institution granting the advance on the foreign exchange contract, the following procedures shall be observed related to the satisfaction of obligations consequent to the use of credits obtained abroad for the financing of exports:
 - a) payments shall be made based on funds received and originated from export foreign exchange contracts, the object of the advances granted, proportionally to the total funds borrowed;
 - b) in case the foreign exchange contract contains an annotation as mentioned by paragraph 4 above, the funds received from the exporter shall be used in the repayment of the respective loan made abroad, observed that, in case the exporter is in default, the payment to the banker shall be conducted in the form of sub-paragraph 5.a above.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 4 - Amendment

1. In a foreign exchange contract the following may not be changed: buyer, seller, amount in foreign currency, amount in domestic currency, code of foreign currency and foreign exchange rate.
2. Among changes admitted in foreign exchange contracts, those related to the following subparagraphs shall be necessarily recorded with Sisbacen and formalized under section 2 of this chapter:
 - a) term for settlement of the foreign exchange contract;
 - b) clauses and statements obliged for foreign exchange contracts performed up to September 30th, 2011;
 - c) foreign currency delivery form;
 - d) operation code;
 - e) payer/beneficiary abroad for foreign exchange contracts performed up to September 30th, 2011;
 - f) percentage of the anticipation of foreign exchange contracts entered starting on October 3rd, 2011;
 - g) code of the Electronic Declaratory Registration for foreign exchange contracts entered starting on October 3rd, 2011. (NR)
3. For the remaining clauses agreed in a foreign exchange contract, which allow for changes, a formal notice issued by the customers may be accepted by banks, confirming the changes agreed such notice to be an integer part of the related foreign exchange contract.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 5 - Settlement

1. The settlement of a foreign exchange contract occurs by delivery of both domestic and foreign currencies, the subject of the contract, or securities representing such currencies.
2. Prompt settlement is mandatory in the following cases:
 - a) simplified export and import foreign exchange operations;
 - b) purchase and sale of foreign currency in cash or traveler's check;
 - c) purchase and sale of gold as foreign exchange instrument.
3. Foreign exchange operations contracted for prompt settlement shall be settled:
 - a) on the same day when related to:
 - I - purchase and sale of foreign currency in cash or traveler's check; or
 - II - operations under the simplified export foreign exchange arrangement.
 - b) within two business days from the date of the contract, in the remaining cases, excluded the days that are not business days in the market for either currency involved (days that are not business days in the market for one currency and/or in the market for the other currency).
4. The contracting of export and import foreign exchange shall follow the terms established in chapters 11 and 12 of this title, respectively.
5. The following foreign exchange operations may be contracted for future settlement, such settlement to occur within:
 - a) 1,500 days, for interbank and arbitrage operations, as well as operations of financial nature which the client is the National Treasury;
 - b) 360 days, for foreign exchange operations of financial nature, subject or not to recording with the Central Bank of Brazil;
 - c) 3 business days, in case of foreign exchange operations related to investments in variable income securities subject to recording with the Central Bank of Brazil.
- 5-A. One business day is the minimum term for settlement of sale of foreign currency regarding donations starting from R\$ 100,000.00 (one hundred thousand reals).
6. It is allowed prior maturing date in operations of financial nature in respect to the one adjusted in the foreign exchange contract to all purchases and to sales related to obligations envisaged in Resolution no. 3844, of March 23, 2010.
7. Interbank foreign exchange operations may be contracted for term settlement in up to 1,500 days.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 6 - Cancellation or Write-off

1. Cancellation of a foreign exchange contract occurs by consensus between the parties and is formalized by means of a fresh contract in which the parties state the undoing of the previous legal relationship, under applicable legal and regulatory principles.
2. In case there is no consensus for the cancellation, banks authorized to operate in foreign exchange may write-off the foreign exchange contract from their foreign exchange position, under the regulatory requirements and procedures applicable to each type of operation.
3. The write-off of a foreign exchange operation represents a bank accounting operation and does not imply unilateral termination of the contract nor change the contractual relation between the parties.
4. The amount in domestic currency in a foreign exchange contract write-off is calculated based on the same foreign exchange rate applied to the contract that is being written-off.
5. Foreign exchange operations, except export foreign exchange operations, which are subject to the procedures mentioned in chapter 11 of this title, may be freely cancelled by agreement between the parties or written-off from the institutions' foreign exchange position.
6. The Foreign Exchange System does not allow the cancelation of the contracts under the operation code 46 and 47. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 7 - Financial Charge

1. In view of the provisions of Article 12 of Law no. 7738, of March 09, 1989, amended by Law no. 9813, of August 23, 1999, cancellation or write-off of a foreign exchange contract related to financial transfers from other countries or an export foreign exchange contract previous to shipment of the goods abroad or the rendering of services subjects the seller of the foreign currency to payment of a financial charge.
2. The financial charge mentioned in paragraph 1 above is calculated as follows:
 - a) on the value of the domestic currency correspondent to the cancelled or written-off portion of the foreign exchange contract;
 - b) based on the aggregate yield of the National Treasury Financing Bill – LFT, for the period between the date of the contract and the cancellation or write-off, less the foreign exchange variation during the period and the amount in domestic currency equivalent to interests calculated by the rate offered in the London interbank market (“Libor”) for the value of the foreign currency subject to cancellation or write-off.
3. The bank shall be notified of the financial charge value by the Central Bank Entry System (SLB) or any other secure mean warranting receipt.
4. The amount in domestic currency of the financial charge shall be paid by the bank purchasing the foreign currency under the following procedures:
 - a) the financial charge shall be paid within a period of five business days from the date in which the bank receives the related notification;
 - b) a value paid after the term mentioned in subparagraph 4.a above shall be added of delinquent interests and fine, under the provisions of Article 37 of Law no. 10522, of July 19, 2002;
 - c) lack of payment of the financial charge implies recording the value in Central Bank of Brazil Credits, and registering the debtor with the Unpaid Credits Information File – Cadin, under the applicable legislation and regulation in effect.
5. Expired the term mentioned in 4.a above and remaining the financial charge unpaid as a result of a decree of bankruptcy against the seller of the foreign currency or intervention or extra-judicial liquidation of the bank buying the foreign currency, the following procedures apply:
 - a) in case of bankruptcy of the foreign currency seller, the bank purchasing the foreign currency shall:
 - I - on the date of the foreign exchange contract cancellation or write-off, notify the liquidator of the bankrupt party, in the form of the appendix 12 to this title, of the existence of a financial charge, forwarding to the Central Bank of Brazil (Department of Financial System Monitoring and Information Management) a copy of the notification, with certified delivery;
 - II - upon receipt of the financial charge’s value, notify the Central Bank of Brazil, not later than the following business day, for the purpose of financial charge payment under the form mentioned in this section.
 - b) in cases of intervention or extra-judicial liquidation of the bank, the person in charge of the intervention or the liquidator shall:

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 7 - Financial Charge

- I - on the date of the foreign exchange contract cancellation or write-off, cause the charge to be collected with the seller of the foreign currency, in the form mentioned in appendix 13 to this title, forwarding to Desig, a copy of the notice with evidence that it has been delivered to the addressee;
 - II - in case bankruptcy of the seller of the foreign currency is decreed, notify the receiver, on the date of cancellation or write-off of the foreign exchange contract, of the existence of a debt related to the financial charge, in the form mentioned in appendix 14 to this title, forwarding to Desig a copy of the notice with evidence that it has been delivered to the addressee;
 - III - upon receiving the financial charge payment, notify the Central Bank of Brazil, not later than the following business day, for the purpose of the financial charge collection, as mentioned in this section, or direct transfer of the value received to the Central Bank of Brazil.
6. In cases mentioned in paragraph 5 above, the Central Bank of Brazil, upon receiving the notice from the bank buyer of the foreign exchange on the receipt of the financial charge value:
- a) presents again the notice under paragraph 3 above, in this case warranting a term of one business day from the date of the notification for collection of the financial charge;
 - b) waives the second presentation of the notice, in cases of direct transfer.
7. In cases of intervention or extra-judicial liquidation of the bank buying the foreign currency, in the absence of a bankruptcy decree for the seller of the foreign currency, delinquent interests are added, under Article 37 of Law no. 10522, of July 19, 2002, accruing from the date of the foreign exchange contract cancellation/write-off, as the case may be, recording the debt with Central Bank of Brazil Credits and the debtor with Cadin.
8. In case it proves impossible to pay the bank under intervention or extra-judicial liquidation, the debtor of the financial charge shall pay such charge directly to the Central Bank of Brazil, a case in which the buyer of the foreign currency is released from paying the financial charge.
9. The amount in domestic currency of the financial charge above shall be calculated by the following formula:

$$EF = \left| \frac{(RLFT - VTC) \times VME \times TX1}{100} \right| - \left| \frac{VME \times J \times t \times TX2}{360} \right|$$

where:

- a) EF = value of the financial charge, in domestic currency;
- b) RLFT = LFT yield from the of foreign exchange contract date to the date of its cancellation or write-off;
- c) VTC = change in purchase foreign exchange rate for the currency of operation, from the foreign exchange contract date to the date of its cancellation or write-off;
- d) VME = value of cancellation or write-off in foreign currency;
- e) TX1 = foreign exchange rate of the operation to be cancelled or written-off;
- f) J = monthly Libor, published by the Central Bank of Brazil for the currency of the

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 3 - Foreign Exchange Contract
SECTION : 7 - Financial Charge

operation, on the day of the foreign exchange contracting, minus $\frac{1}{4}$ of 1% (one fourth of one percent);

- g) t = number of days elapsed from the date of the foreign exchange contracting and the date of its cancellation or write-off;
- h) TX2 = purchase foreign exchange rate for the relevant foreign currency, available in Sisbacen through transaction PTAX800, option 5 – accounting rates, related to the day of cancellation or write-off.
10. LFT yield (RLFT) in the referred period of time shall be calculated based on information provided by Sisbacen transaction PTAX880, option 1, in the following way:
- a) start-date: foreign exchange contract date;
- b) end-date: last business day before the foreign exchange contract cancellation or write-off;
- c) RLFT: aggregate index (last column of the line relative to the start-date) multiplied by 100 (one hundred).
11. VTC, the change in foreign exchange rate over the period of time, shall be obtaining by the following operation:
- $$\text{VTC} = \frac{\text{Currency purchase exchange rate, available in Sisbacen, transaction PTAX800, option 5 – accounting rates, referred to the day of cancellation or write-off}}{\text{Currency sale exchange rate, available in Sisbacen, transaction PTAX800, option 5 – accounting rates, referred to the day of the foreign exchange contracting}} \times 100$$
12. The financial charge mentioned in this title is not applicable to cancellation and write-off in a value not exceeding US\$5,000.00 (five thousand United States dollars), or equivalent value in other currency provided that, in aggregate, it does not exceed 10% (ten percent) of the foreign exchange agreement value.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 4 - Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad

SECTION : 1 - Interbank Operations in Brazil

1. Under the prudential regulation and the regulation related to foreign exchange position, the operations mentioned in this chapter may be conducted with no regard to operations with customers or the value of the foreign exchange position at the opening of the business day.
- 1-A. Operations performed between institutions authorized to operate in the foreign exchange market are considered as operations performed in the interbank market, foreseen in this Regulation.
2. Operations in the interbank market may be contracted for prompt, future and term settlement, and such operations may be not cancelled, written-off, extended or settled in advance.
3. (Revoked) Circular No. 3591/2012;
- 3-A. (Revoked) Circular No. 3591/2012
4. Term Interbank foreign exchange operations have the following features:
 - a) the foreign exchange rate is freely agreed between the parties and shall reflect the transacted price of the foreign currency on the date of the foreign exchange operation settlement.
 - b) It possesses a specific operation nature code;
 - c) It is contracted for settlement in a future date, with effective and concurrent delivery of the currencies, domestic and foreign, on the foreign exchange operations settlement date.
 - d) currency advancements are not allowed.
5. (Revoked) Circular No. 3591/2012
6. The purchase and sale of foreign currency by arbitrage are recorded by attributing, to both purchased and sold currencies, the same amount in domestic currency.
7. The interbank market operations are conducted with or without intermediation of a clearing house or provider of clearing and settlement service which has been authorized by the Central Bank of Brazil for settlement of foreign exchange transactions.
8. The following represents a firm and irrevocable commitment between the parties, replacing, for all legal purposes, the form referred to in paragraph 2 of article 23 of Law 4131 of 03/09/1962:
 - a) In case of transaction conducted in the country without the intermediation of a clearing house or provider of clearing and settlement service, the confirmation, by the institution selling the foreign currency, of the operation's, data recorded in the Foreign Exchange System by the institution buying the foreign currency;
 - b) In case of transaction conducted via clearing house or provider of clearing and settlement service:
 - I - the confirmation in the Foreign Exchange System, by such clearing house or provider of the clearing and settlement service, of the data recorded by the institution buying the foreign currency and confirmed by the institution selling the foreign currency, when not using a negotiation system without counterparty identification (blind screen);

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 4 - Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad
SECTION : 1 - Interbank Operations in Brazil

- II - the identity verification, in the Foreign Exchange System, of the keys contained in the messages sent by the buying institution and by the selling institution with the key sent by the clearing house or provider of clearing and settlement service, when using a negotiation system without counterparty identification (blind screen).
 - c) In case of arbitrage in Brazil, the confirmation, by the institution counterparty of the transaction, of the data recorded in the Foreign Exchange System by the institution responsible for the other part of the operation;
 - d) In case of a transaction performed with institution abroad, the registration, by the institution in the country, of the data in the Foreign Exchange System.
 - e) In the case of a transaction performed with the Central Bank, the registration will be done automatically in the Foreign Exchange System, eliminating counterparty confirmation.
9. In case of a transaction conducted without intermediation of a clearing house or provider of clearing and settlement service, the confirmation of the transaction in the Foreign Exchange System by the institution selling the foreign currency implies the conclusion of two foreign exchange contracts, where the contracting parties appear as buyer and seller institution of foreign currency.
10. In case of a transaction via a clearing house or provider of clearing and settlement service, the confirmation or verification of identity in the Foreign Exchange System, addressed in paragraph "b" of Item 8 of this section, implies the performance of four foreign exchange contracts as follows:
- a) a pair of foreign exchange contracts in which the contracting parties appear as the institution buying the foreign currency and the clearing house or provider of clearing and settlement service;
 - b) a pair of foreign exchange contracts in which the contracting parties appear as the institution selling the foreign currency and the clearing house or provider of clearing and settlement service.
11. The exchange contracts referred to in this section are recorded in the Foreign Exchange System for settlement on an agreed day, and are not subject to cancellation write-off, extension or anticipations of the agreed term.
12. In case of foreign exchange operations conducted without intermediation of a clearing house or provider of clearing and settlement service:
- a) the institution buying the foreign currency shall record the transaction data in the Foreign Exchange System within thirty minutes after the setting of the conditions with the institution selling the foreign currency;
 - b) the institution selling the foreign currency shall confirm in the Foreign Exchange System the data and elements of the transaction within the thirty minutes from the record made by the institution buying the foreign currency;
 - c) two exchange contracts are recorded as item 9 of this section, which are not settled automatically by the Foreign Exchange System;
 - d) buyer and seller Institutions of foreign exchange shall record the settlement of transactions in the Foreign Exchange System;

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 4 - Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad
SECTION : 1 - Interbank Operations in Brazil

- e) the operation recorded by the buyer institution and not confirmed by the selling institution within the time specified in paragraph "b" is blocked by the system the reactivation of registration in the Foreign Exchange System shall be done by the buyer institution of foreign currency;
 - f) in case of operation with the Central Bank of Brazil, the information on the registration is provided by the Foreign Exchange System to the institution counterparty.
13. In case of a foreign exchange transaction made via clearing house or provider of clearing and settlement service when not using a negotiation system without counterparty identification (blind screen):
- a) the institution buying the foreign currency shall record the transaction data in the Foreign Exchange System and within thirty minutes after the setting of the conditions with the bank selling the foreign currency;
 - b) the institution selling the foreign currency shall confirm the data and elements of the transaction within the thirty minutes from the record made by the institution buying the foreign currency and, in cases when the such confirmation is due after the closing time of the interbank market, 15 (fifteen) additional minutes for such action shall be observed, subject to the maximum period of 30 minutes;
 - c) the clearing house or provider of clearing and settlement service shall confirm the data and elements of the transaction within thirty minutes from the confirmation made by the institution selling the foreign currency and, in cases when such confirmation is due after closing time of the interbank market, an additional 30 (thirty) minutes for such action shall be observed, subject to the maximum period of 30 minutes;
 - d) four foreign exchange contracts are recorded in the Foreign Exchange System in accordance with item 10 of this section, and the event of settlement of each exchange contract is performed automatically by the Foreign Exchange System;
 - e) The operation recorded by the institution buying the foreign currency and not confirmed by the institution selling the foreign currency, within the period specified in paragraph "b", is blocked by the system, the reactivation of the registration in the Foreign Exchange System shall be done by the institution buying the foreign currency;
 - f) the operation confirmed by the institution selling the foreign currency and not confirmed by the clearing house or provider of clearing and settlement service within the specified period in paragraph "c", is blocked by the system the reactivation of registration in the Foreign Exchange System shall be done by the institution buying the foreign currency and respective confirmations shall be provided by the selling institution and by the clearing house or provider of clearing and settlement service.
14. In case of foreign exchange transaction conducted with intermediation of a clearing house or provider of clearing and settlement service when using a negotiation system without of the counterparty identification (blind screen):
- a) the clearing house or provider of clearing and settlement service, immediately after the closing of the transaction in the dealing system by institutions buying and selling the foreign currency, records the transaction data in Foreign Exchange System and informs buyer and seller ;

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 4 - Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad
SECTION : 1 - Interbank Operations in Brazil

- b) buyer and seller institutions, after receiving information from the clearing house or provider of clearing and settlement service, confirm the operation within 30 (thirty) minutes in the Foreign Exchange system, subject to the time limit of 30 (thirty) minutes after the closing time of the interbank market;
 - c) the four exchange contracts are recorded in accordance with item 10 of this section, during the identity verification referred to in subparagraph "b" of Item 8 of this section, and the event of settlement of each exchange contract is performed automatically by the Foreign Exchange System ;
 - d) non-compliance of subparagraph "b" implies in the purge of those transactions from the Foreign Exchange System which will be considered nonexistent.
15. The nature of operation codes of transactions intermediated by clearing house or provider of clearing and settlement service are assigned automatically by the Foreign Exchange System.
16. During the recording of foreign exchange interbank transactions, except for arbitrage transactions, must be informed if there is purpose to:
- a) financial turnover, and
 - b) transfer of line.
17. For purposes of the preceding item, it is considered as:
- a) operations whose purpose is the financial turnover - those contracted by institutions operating in intermediate and final position in a chain of transactions, whose outcome corresponds to a transaction between two institutions that would not occur due to their own reciprocal operational limits or other deterrent factors;
 - b) operations whose purpose is the transfer of line - those in which an institution delivers foreign currency to another through a sale transaction of foreign currency for settlement at a given date and, simultaneously, contracts the receiving of this same foreign currency through a foreign exchange purchase transaction for settlement in an extra day in relation to the settlement date of the sale transaction.
18. Delivery of domestic currency related to foreign exchange contracts dealt with in this section is made through the appropriate command in the Reserve Transfer System – STR or by means of debt or credit in the accounts held by buyer and seller institutions.
19. Any institution contributing to inefficiency or hindering the regular operation of the interbank market is subject to applicable legal and regulatory sanctions, including the impediment to operate in that market.
20. In case of arbitrage operation in the country, the confirmation by the counterparty institution in the Foreign Exchange System implies establishment of two pairs of foreign exchange contracts, where the Contracting Parties are the buyer and seller institutions of foreign currencies, with each pair of contracts related to each currency arbitrated.
21. In case of arbitrage operation in Brazil:
- a) an institution part of the transaction shall record the transaction data in Foreign Exchange System within thirty minutes after the setting of the conditions with the institution counterparty of the transaction;

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 4 - Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad

SECTION : 1 - Interbank Operations in Brazil

- b) the counterparty institution confirms the data and elements of the transaction in the in Foreign Exchange System within thirty minutes from the record made by the other institution part of the operation;
 - c) four foreign exchange contracts are recorded in the Foreign Exchange System as item 20 of this section, which are not settled automatically by the Foreign Exchange System;
 - d) the institution and its counterpart of the operation shall settle the transactions in Foreign Exchange System;
 - e) the transaction recorded by the institution and not confirmed by the counterpart institution within the time specified in paragraph "b" is blocked by the system; the reactivation of registration in the Foreign Exchange System shall be done by the institution of the operation.
22. The record in the Foreign Exchange System Operation of a buying or selling interbank operation of foreign currencies is made under unique identifier.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 4 - Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad

SECTION : 2 - (Revoked) Circular No. 3591/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 4 - Interbank Operations in Brazil and Financial Institutions in Brazil and Abroad
SECTION : 3 - Operations with Institutions Abroad

1. Financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market, may conduct operations with financial institutions abroad, provided that the financial relation with the institution abroad is made exclusively through a bank authorized to operate in the foreign exchange market.
2. Purchase and sale of foreign currency by arbitrage shall be recorded in the Foreign Exchange System attributing to the purchased and sold currencies the same amount in domestic currency.
3. The parties to a foreign exchange operation must be identified, including the country and city of the party to the transaction.
4. Accounts of individuals who are resident, domiciled and headquartered abroad, held by financial institutions abroad may not be used for international transfer in Brazilian reais for the benefit of third parties.
5. (Revoked) Circular No. 3591/2012
6. The banks authorized to operate in the foreign exchange market, except the development banks, as well as the Caixa Econômica Federal can conduct operations of purchasing and selling of foreign currency with foreign bankers against banknotes of Brazilian reais received from or sent abroad, in compliance with the regulation in force, observed that:
 - a) mentioned the foreign exchange operations under this paragraph have specific operation nature code and shall be made in one sole branch of the institution authorized to operate in the foreign exchange market, previously reported to the Central Bank of Brazil in the Foreign Exchange System by the director responsible for operations related to foreign exchange market;
 - b) one copy of the declaration of entrance or declaration of exit of the resources in the country, provided in the form of regulations in force, must be on file in the dossier of the respective foreign exchange operation;
 - c) the previous receiving of CNPJ in the Secretary of the Federal Revenue of Brazil to foreign bank that is counterpart in the operation is mandatory;
 - d) to send banknotes abroad it is mandatory the use of new issued banknotes, observed that the banking institution responsible for the operation must keep the register and control of its serial numbers, while not issued new specific rule by the Currency Management Department of Central Bank of Brazil (Bacen/Mecir).
7. For the course of operations dealt with by this section the financial institutions and the other institutions authorized to operate by the Central Bank of Brazil, authorized to operate in the foreign exchange market, must know the procedures of prevention to money laundering adopted by the bank abroad, as operation counterpart, in order to comply with the recommendations of the Financial Action Group against Money Laundering (FATF) and certify it is not a institution that:
 - a) it is not present in the country where it is constituted and licensed to operate; and
 - b) it is not affiliated to any financial services group that is the subject of effective supervision.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 5 - Foreign Exchange Position and Operating Ceiling

SECTION 1 Foreign Exchange Position

1. Foreign exchange positions are represented by the balance of foreign exchange operations (purchase and sale of foreign currency, securities and documents that represent them, and gold – exchange instrument), registered in the Foreign Exchange System. (NR)
2. (Revoked) Circular no. 3545/2011
3. For all purposes and effects, foreign exchange positions are modified on the same date the contracting of the foreign exchange operation, except for forward interbank operations, in which the foreign exchange position is modified from the second business day before its settlement. (NR)
4. The equivalent in US dollars is obtained by applying the parities available at SISBACEN (transaction PTAX800, option 5 - accounting rates) for the previous business day, considering that:
 - a) for type “A” currencies, the sale parity to be applied is: value in foreign currency/parity;
 - b) for type “B” currencies (identified by an asterisk on the system screen), the sale parity to be applied is: value in foreign currency x parity.
5. (Revoked) Circular no. 3545/2011
6. There is no limit for the positions of foreign exchange purchased or sold by banks or savings institutions authorized to operate in the exchange market.
7. (Revoked)
8. There is no limit for the positions of foreign exchange purchased by the other institutions authorized to operate in the country by the Central Bank of Brazil regarded their sold foreign exchange position limited to zero.
9. (Revoked)
10. (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 5 -- Foreign Exchange Position and Operating Ceiling
SECTION 2 Operating Ceiling

1. Tourism agencies authorized to operate in the exchange market have no foreign exchange position, but must observe a daily operational limit of US\$200,000 (two hundred thousand US dollars).
2. The above operational limit represents the total amount in foreign currency maintained by the tourism agency in cash and in the account kept at a bank authorized to operate in the exchange market (free movement), as described in chapter 14.
3. Authorized tourism agencies are allowed to purchase foreign currency from national financial system institutions that are authorized to operate in the exchange market for the supply of funds.
4. In the case described in the paragraph (3) above:
 - a) the said tourism agency records its purchase with SISBACEN through a PMTF-code transaction, thereby dismissing the need to fill in a docket;
 - b) the national financial system institution authorized to operate in the exchange market issues a foreign exchange contract and records the operation on the Foreign Exchange System.
5. (Revoked) Circular no. 3527/2011
6. Any excess on the limits established for tourism agencies must be sold to a national financial system institution that is authorized to operate in the exchange market.
7. The occurrence of an excess on the operational limits established for tourism agencies implies:
 - a) at the first occurrence, a formal warning issued for the immediate regularization of the excess;
 - b) at a second occurrence, the authorization to operate in the exchange market being revoked, if this second occurrence has taken place within ninety days of the first.
8. A new occurrence that takes place after the ninety-day period from the first occurrence shall be the subject of a new warning, and the authorization may be revoked if the situation is considered contumacy.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 6 - Operation documentation and customer filing

1. Agents authorized to operate in the exchange market must develop mechanisms that enable the prevention of operations that configure an artifice to circumvent the tools for identifying, limiting values and registering clients established in appropriate regulation.
 2. Agents authorized to operate in the exchange market shall take, in relation to the documents supporting their operations, all necessary procedures to avoid their reuse and consequent duplicity of effects.
 3. Performance of operations in the foreign exchange market is subject to documentary evidence.
 - 3-A. Without prejudice of the client's identification, it is not required to present documentary evidence in respect to the underlying business transaction or to file copy of the client's identification for operations of foreign currency purchase and sale up to US\$3,000 (three thousand United States dollars) or its equivalent amount in other currencies), (NR)
 4. With the exception of specific provisions stated in legislation in force, documents linked to operations in the foreign exchange market must be kept in the said agents' physical or electronic files for five years from the end of the financial year when the contracting - or, if applicable, the settlement, cancellation or write-off – took place, so that, in the case of electronic files, the Central Bank of Brazil may immediately check, at no cost:
 - a) the document's original file, the digital signature files of the parties to the document, and the respective digital certificate files under ICP-Brasil, if the regulation requires the original document to be kept; or
 - b) the document's file, if the regulation does not require the original document to be kept.
 5. (Revoked) Circular no. 3398/2008
 6. The agents authorized to operate in the exchange market must ensure that their clients are qualified by, among other measures considered appropriate, identifying them, assessing their performance, trade procedures and financial capacity, as well as keep updated:
 - a) reference files according to the form and period established by the regulation on the prevention and activities of control related to the crimes defined in Law no. 9613, of March 03, 1998, also required for the activity of brokerage of foreign exchange operation;
 - b) documentary evidence updated in physical or electronic files, while in the latter the Central Bank of Brazil will be given access to immediately check such files at no cost.
 7. (Revoked) Circular no. 3493/2010
 8. (Revoked) Circular no. 3493/2010
 9. (Revoked) Circular no. 3493/2010
 10. In case of digital signing of a foreign exchange contract ICP-Brasil, the parties to the business are responsible for checking the proper use of the other participants' digital certification, including the authority of the other signatories and the validity of the digital certificates involved. (NR)
 11. (Revoked) Circular no. 3493/2010
 12. (Revoked) Circular no. 3493/2010
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 7 - Operations follow-up

1. When requested by the Central Bank of Brazil, an agent authorized to operate in the exchange market must make the documentation relative to the operations in the foreign exchange market available by 10:00 am (BRT) of the day indicated in the request; the presentation of additional documents may be requested, if deemed necessary, when analyzing each specific case.
2. The following occurrences related to operations in the foreign exchange market, inter alia, are subject to the penalties established by Resolution no. 2901, of October 31, 2001:
 - a) recording incorrect, incomplete or untimely information with the Foreign Exchange System;
 - b) failing to keep documentary evidence to support an operation in the operation files;
 - c) failing to settle a foreign exchange operation in the forms established in relevant legislation;
 - d) failing to link foreign exchange operations to electronic records or documents when it is required by regulation.
3. The settlement of operations in the foreign exchange market for an improper value or without the proper documentary evidence may lead to the repatriation of the sum unduly transferred in foreign currency, through contracting and settling a foreign currency purchase operation of financial nature with the same classification adopted for the original operation.
4. The imposition of a fine or repatriation of the sums determined by the Central Bank of Brazil do not elide responsibilities that may be brought on the parties and the broker that has intervened in the operation, according to the terms of the applicable current legislation and regulation, in view of any controls that may at any time be carried out.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 1 - General Provisions

1. The codes relative to the nature of the operations described in this chapter constitute the Classification Code referred to in Paragraph 1 of Article 23 of Law no. 4131, of September 03, 1962.
2. Any incorrect classification will make the financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market, liable to the penalties prescribed in legislation, as well as other administrative sanctions imposed by the Central Bank of Brazil.
3. The existence of codes to classify the operations and the possibility to keep recordings at the Foreign Exchange System do not elide the responsibility of the parties involved with regard to observing legal provisions, as well as specific norms and procedures defined by the Central Bank of Brazil or other government bodies/entities. (NR)
4. Foreign exchange operations relative to financial transfers to and from other countries for the purpose of returning values that were not used for their originally indicated objective, or that were unduly transferred, must be:
 - a) classified under the same code as the foreign exchange operation to which the return is linked, using the group code "49 – return of values"; and
 - b) linked to the original foreign exchange contract.
5. In the event of returning values relative to operations that are subject to registration with the Central Bank of Brazil the respective registration number must be indicated in the proper field in the return foreign exchange contract.
6. Any doubt regarding the application of the provisions contained in this chapter must be clarified at the Department of Financial System Monitoring and Information Management of the Central Bank of Brazil (Desig).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 1 - General Definitions

1. The nature of the operation is formed by twelve elements, described as follows:
 - a) nature of the fact that originates the foreign exchange operation: composed of five initial digits (subsection 2 to 20);
 - b) nature of the client purchasing or selling foreign currency in the country: composed of the two following digits (subsection 21);
 - c) for foreign exchange contracts signed up to September 30th, 2011, there should be an indication relative to the existence or not of guarantee by the Brazilian Government, granted directly by the Federal Government or on its behalf, as well as related to the performance of the operation within the Reciprocal Payments and Credits Agreement: represented by the eighth digit (subsection 22);
 - d) for foreign exchange contracts signed up from October 3rd, 2011, there should be an indication relative to the existence or not of a guarantee by the Brazilian Government, granted directly by the Federal Government or on its behalf, represented by the letter "S" digit in case positive or "N" if negative;
 - e) nature of payer/receiver abroad: represented by the ninth and tenth digits (subsection 23); and
 - f) identification of the group to which the operation belongs: represented by the last two digits (subsection 24).
2. For the purpose of classifying the operations performed at the foreign exchange market, the following definitions are applied:
 - a) short term: duties and rights where the full term for payment/receipt does not exceed 360 days;
 - b) long term: duties and rights where the final maturity exceeds 360 days, or which do not have a pre-established maturity date.
3. This section is divided in the following subsections:

Subsection Name	Subsection Number
General Definitions	1
Exports	2
Imports	3
Transports	4
Insurance	5
International Travels	6
Capital Revenues	7
Other Capital Revenues	8
Governmental Services	9
Other Services	10
Unrequited Transfers	11
Short Term Brazilian Capital	12
Short Term Foreign Capital	13
Long Term Brazilian Capital	14

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 1 - General Definitions

Subsection Name	Subsection Number
Long Term Foreign Capital	15
Monetary Gold	16
Arbitrages	17
Operations between Institutions	18
Operations with the Central Bank of Brazil	19
Special Operations	20
Clients	21
Guarantee by the Brazilian Government and Reciprocal Payments and Credits Agreement	22
Payers/Receivers Abroad	23
Group	24

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 2 - Exports

NATURE OF THE OPERATION	CODE NO.
Export of Goods 1/ 2/ 3/ 4/ 6/	10007
(Revoked) Circular no. 3454/2009	10100
Export on Consignment	10124
Jewels, Gems, Precious Stones and Artifacts in Gold and Precious Stones	10306
(Revoked) Circular no. 3454/2009	10500
Simplified Foreign Exchange 7/	10409
Supply of Fuels, Lubricants and Others 8/	10423
Back to Back Operations	10447

- 1/ Financed exports, subject to Credit Register (RC), are classifiable under subsections.
- 2/ Transfers arising from differences in weight, type or quality, as well as price adjustments relative to exports are classified under subsection 10.
- 3/ Exports of services are classified under subsection 10.
- 4/ Transfers to other countries referring to returns of residual values from advance receipts of exports are promoted through a sale financial operation with the same code of nature-fact used for the purchase operation when the foreign currency brought into the country.
- 5/ (Revoked) Circular no. 3454/2009
- 6/ Includes the acquittal of interests relative to the receipt of exports by shipping goods. The foreign exchange contract relative to the payment of interests must be classified under subsection 7, under nature code 35556.
- 7/ To be used according to the procedures described in section 9 of chapter 11.
- 8/ Includes the supply of provisions, maintenance and cleaning materials, and accommodation of cargos.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 3 - Imports

NATURE OF THE OPERATION	CODE NO.
General Imports 1/ 2/ 3/ 4/	15002
Crude Oil Imports	
Raw (NCM 2709.00.10)	15507
By-products (NCM - positions 2710 to 2713)	15538
Import of Books and Periodicals 5/	15600
Simplified Foreign Exchange 6/	15806
Back to Back Operations	15442
Duty Free Shop 7/	15900

- 1/ Foreign exchange operations referring to the payment of financed installments for an import that is subject to registration at the Central Bank of Brazil are classified under subsection 15. The installments that are not financed are classified under this subsection, using a sale foreign exchange contract under nature code 15002. (NR)
- 2/ Transfers arising from differences in weight, type or quality, as well as price adjustments relative to exports are classified under subsection 10.
- 3/ Imports of services are classified under subsection 10.
- 4/ Transfers from abroad referring to returns of residual values from advance payment of imports are promoted through a purchase financial operation with the same code of nature-fact used for the sale operation when the foreign exchange credits left the country.
- 5/ Subscriptions to newspapers and magazines made by natural or juristic persons linked or not to the bookselling business are classified under subsection 10, using a sale foreign exchange contract.
- 6/ To be used according to the procedures described in section 12 of chapter 12.
- 7/ Records the imports of goods to be sold in duty free shops.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 4 - Transports

NATURE OF THE OPERATION	CODE NO.		
	Air Transport	Sea Transport 1/	Land Transport
Rental of Containers or Pallets	20310	20327	20334
Freight			
On Exports	20619	20626	20633
On Imports	20640	20657	20664
Others 2/	20671	20688	20695
Other Transport Revenues/Expenses 3/	20190	20200	20217
Chartering 4/	20406	20413	20420
Vehicle Repairs	20468	20475	20482
Dispatch Money 5/	20107	20114	20121
Demurrages 5/	20138	20145	20152
Supervision of Weighing	20169	20176	20183
Tickets 6/			
Brazilian Flag Companies	20815	20822	20839
Foreign Flag Companies	20846	20853	20860

1/ Includes river and lake transport.

2/ Refers to cross trade, transit within domestic territory, coastwise shipping services abroad, and any other traffic in domestic or foreign territory.

3/ Refers to:

- a) transport allowances, and traffic expenses and fees for transporting correspondence received by foreign companies, baggage and air mail courier;
- b) expenses related to services performed at the moment of shipping that cannot be classified as goods or freight, such as packing and unpacking, labeling, placing in boxes and shipping, handling and transfers performed by Brazilian transport companies. The origin of the transfer must be indicated in the contract under the field reserved for "Other Specifications";
- c) fines and ship maintenance;
- d) includes expenses for paying taxes deriving from non-regular transport lines.

4/ Restricted to operational commercial leasing operations for movable goods and transport with crew included, registered or not with the Central Bank of Brazil. Other operational commercial leasing operations must be classified under subsection 10.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 4 - Transports

5/ Includes containers and other means for packing cargo.

6/ Includes unaccompanied luggage.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 5 - Insurance

NATURE OF THE OPERATION	CODE NO.
Recovery of Damages	25425
Reinsurance Accepted from Abroad 1/ - Premium	25346
- Indemnity	25353
Reinsurance Placed Abroad 2/ - Premium	25205
- Indemnity	25212
Insurance on International Transport of Goods (excluding reinsurance) - Premium	
. on exports	25009
. on imports	25016
- Indemnity for damages	
. on exports	25023
. on imports	25030
Insurance – Other Insurance - Premium	25102
- Indemnity	25119
Transfers – Others 4/	25937

- 1/ Refers to the acceptance of reinsurance and retrocession from abroad.
- 2/ Refers to the acceptance of reinsurance and retrocession accepted by admitted reinsurers, occasional reinsurers, or by a group with controlling interest of admitted or occasional reinsurers.
- 3/ (Revoked)
- 4/ Includes resources destined to maintain a minimum balance in the foreign currency account belonging to an admitted reinsurer. Does not include transfers referring to profit and dividends of insurance companies, which must be included in subsection 8.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 6 - International Travels

NATURE OF THE OPERATION	CODE NO.
Tourism agencies and Tourist Lodging Establishments	
- operations with banks and other institutions integrating the National Financial System	33606
Cards of International Use 5/	
- acquisition of goods and services (NR)	33462
- drafts	33486
Educational, Scientific and Cultural Purposes or Sports Events	33101
Government Official Missions 1/	30128
Business, Services or Training	33149
Health Treatment 2/	30166
Tourism	
- domestic 3/	30403
- abroad	33455
1/ Records traveling expenses for members of official government missions and members of foreign diplomatic representations. Does not include diplomats' expenses made in the country where they are posted, which are to be classified under subsection 9.	
2/ Includes expenses in travels with the purpose of following a health treatment, as well as remittances and acquisitions aimed at purchases made abroad, for treatment in the country of medications with foreign origin and source, provided that they are not meant to be resold.	
3/ Also includes the negotiation of foreign currency obtained with the sale of goods by duty free shops.	
4/ Does not include inward resources related to scholarships offered by foreign entities to domiciled in Brazil to bear the educational expenses in Brazilian territory that must be classified under subsection 11.	
5/ Includes companies that facilitate international payments.	

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 7 - Capital Revenues

NATURE OF THE OPERATION	CODE NO.
Launching Brazilian Securities abroad 1/	
- Premiums	35013
- Discounts	35020
Accessory Charges on Foreign Indebtedness 2/	
- Fees on loan and financing operations	35109
- Others	35123
Bank Interests	38663
Interests on Deposits at the Central Bank of Brazil	35367
Interests on Agreements of the Brazilian Financing Plan 3/	
- Project 1/A – New Money Facilities	35343
- MYDFA	35350
- Paris Club	35398
Interests on Loans	
- Direct loans 4/	35422
- Linked to exports 5/	35446
Interests on Loans Administered by the Central Bank of Brazil 3/	35453
Interests on Financing for Imports	
- Linked to exports 5	35460
- Services	35099
- Oil	35075
- Others	
. Short term	35082
. Long term	35635
Interests on Advance Payment of Exports	35556
Interests on Financing for Exports of Goods and Services	
- FINEX	
. Discounting bills of exchange	35563
. Credits used	35570
. Harmonization of rates 7/	35587
- PROEX	
. Discounting bills of exchange	35855
. Credits used	35848
. Harmonization of rates	35862
- BNDES-exim	35879
- Own resources	35886
- Others	
. Discounting bills of exchange	35532
. Credits used 6/	35549
Default Interests	35666
Default Interests on Deposits Res. 1564 1/	35714

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 7 - Capital Revenues

Interests on Deposit Accounts 5/ 8/	35680
Interests on Overdrafts in Current Accounts	35697
Interests on Brazilian Securities with application period above 360 days 9/	
- Bonds	35707
- Notes 12/	35721
- Commercial papers	35745
- Others	35738
Interests on foreign securities with application period above 360 days 9/	
- Bonds	35769
- Debentures	35776
- Others	35783
Interests on foreign and Brazilian Securities with investment period below 360 days 9/	35790
Interests on credit used 10/	35965
Interests on Special Transactions 1/ 11/	
- General Account	35800
- Special Drawing Account	35817
- Others 15/	35824
Interests on Leasing Operations 13/	35903
Other Contractual Interests 14/	38508

- 1/ Includes remittances on Bonds, Floating Rate, Fixed Rate Notes, Floating Rate Certificates of Deposit, Fixed Rate Certificate of Deposits, etc.
- 2/ Does not comprehend commissions arising from the provision of banking services (credit letters, collections, etc), which are to be classified under subsection 10.
- 3/ Exclusive for the Central Bank of Brazil.
- 4/ Does not include interests on financing imports or exports and placement of securities.
- 5/ Includes export securitization operations, or the income obtained abroad by Brazilian banks on behalf of exporters.
- 6/ Records interests referring to pre-financing, financing, and refinancing Brazilian exports by using credit abroad, including pre-export.
- 7/ Includes interests, spreads and commissions.
- 8/ Does not include interests on overdrafts in current accounts.
- 9/ Does not include interests referring to amortization of loans or financing.
- 10/ Does not include interests on credit used that were otherwise specified.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 7 - Capital Revenues

- 11/ Includes interests on special transactions, which do not fall under other specific descriptions.
- 12/ Includes interests on Floating Rate, Fixed Rate, Fixed Rate Certificates of Deposit, etc.
- 13/ Records the value relative to the variable part of leasing operations.
- 14/ Does not include interests or fines linked to trade operations.
- 15/ Includes interests relative to remuneration by the Central Bank of Brazil in operations conducted under the CCR using a payment tool with maturity above 360 days.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 8 - Other Capital Revenues

NATURE OF THE OPERATION	CODE NO.
Direct Investment	
- profits, dividends and cash bonuses 1/	36957
- remuneration of own capital (profit)	36971
Portfolio Investment (Resolutions nos. 1289 and 2689)	
- dividends	36902
- cash bonuses	36919
- interests on own capital (variable revenue)	36964
- interests (fixed revenue)	36988
- Investments in the Capital Market – MERCOSUL	38405
- Gains or losses in financial investments abroad 2/	36300

1/ Includes profits from subsidiaries and branches of financial and non-financial institutions.

2/ Restricted to foreign exchange operations that are meant for adjust the bank foreign exchange position related to investments in accordance to Resolution no. 4033, of 2011. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 9 - Governmental Services

NATURE OF THE OPERATION	CODE NO.
Revenues and Expenses of the Brazilian Government	
- military 1/	40008
- diplomatic, consular and alike 2/	40101
- others 3/	40259
Revenues and Expenses of Foreign Governments	
- military 4/	40503
- diplomatic, consular and alike	40558
- others 5/	40754
Revenues and Expenses of International Entities 6/	40905

NB:

For the purpose of this Regulation, revenues and expenditures of the Brazilian Government are those where the seller or the purchaser of foreign currency is the Federal Government, States, Municipalities, the Federal District, its foundations or self-governing bodies.

Operations that do not have specific codes under the other subsections of this chapter are classified under this subsection.

NOTES

- 1/ Records payments and receipts related to stationing military troops.
- 2/ Comprises traveling expenses of Brazilian Government servants posted abroad.
- 3/ Comprises expenses made abroad for printing Brazilian Government securities, governmental revenues and expenses relative to renting properties abroad, and other miscellaneous revenues and commitments.
- 4/ Includes military expenses made by foreign governments on national territory, when such payments are made to domestic private entities.
- 5/ Does not include remittances to staff at embassies and consulates referring to personal expenses.
- 6/ Comprehends the revenues and expenses of international organizations of which Brazil is a member.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 10 - Miscellaneous Services

NATURE OF THE OPERATION	CODE NO.
(Revoked) Circular no. 3575/2012	
Copyrights on Computer Software 2/	48110
Supply of 3/	
- technology	45632
- technical assistance services	45649
- complementary services and expenses	45584
Franchises 3/	45591
Project Implementation or Installation	
- technical-economic	45656
- industrial	45663
- engineering	45670
Brand Names 3/	
- assignment	45546
- license to use	45618
Patents 3/	
- assignment	45515
- license to exploit	45625
Specialist Technical Services 4/	
- industrial projects, designs and models	45687
- engineering/architectural projects, designs and models	45694
- equipment assembling	45704
- other assembling at request 5/	45876
- legal, accounting, advisory and consultancy	45110
- agricultural, mineral and in loco transformation	45120
- research and development – R&D	45130
2 – OTHERS	
Administrative	
- office installation or maintenance	48354
- others 6/	45388
Equipment Rental 7/	45010
Movies Rental	45034
Recorded Tapes and Disks Rental 8/	45058
Property Rental	45072
Subscription to Newspapers, Magazines, etc 9/	45096
Banking 10/	45405

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 10 - Miscellaneous Services

International Cards – other revenues and expenses	48969
Contract Fees 11/	
- agents' fees	45209
- others	45223
Communications 12/	45182
Brokerage 13/	45261
Carbon Credits 29/	45500
Courses and Conferences 14/	48323
Copyrights 15/	45443
International Orders 16/	48804
Export Credit Guarantees 17/	48419
Guarantee	
- bank	48000
- others	48010
Professional Fees	
- members of consultative and/or administrative boards	45522
- remuneration for courses, lectures and seminars	45539
Profits and Losses in Commercial Transactions with Other Countries 18/	45601
Brand Names and Patents – Registration, Deposit or Maintenance 28/	45821
Hedge Operations	
- through options – results	45728
- through swaps – results	45780
- guarantee margin – commissions, premiums and other related transfers to and from other countries	45807
Operations in Commodity Exchanges Abroad	
- guarantee margin 19/	45742
- brokerage, fees and expenses 20/	45759
- profits or losses	45766
Operations in Domestic Commodity Exchanges	
- guarantee margin	45838
- brokerage, fees and expenses	45845
- profits or losses	45852
Small Commitments 21/	48385
Other Technical/Professional Services 23/	45711

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 10 - Miscellaneous Services

Other Services Linked to Commercial Transactions with Other Countries 22/	45797
Participation in Fairs and Exhibitions 24/	45979
Transfer Fees for Professional Athletes	48457
Publicity, Advertising, Marketing and Opinion Polls 24	45883
Remuneration for Competitions or Exhibitions	45890
Press and Financial Information Services 25/	45900
Postal Services	48914
Tourist Services 26/	48990
Event Broadcasting 27/	48938
Use of International Data Banks	48158
Personal Wages and Salaries	45955

NOTES

- 1/ (Revoked) Circular no. 3575/2012
- 2/ Also registers transfers relative to updating, renting, maintaining and customizing computer software, when not subject to legalization at the National Industrial Property Institute (INPI), as prescribed in current legislation.
- 3/ Natures restricted to operations arising from contracts legalized by INPI and registered with the Central Bank of Brazil, whenever related to resources leaving the country.
- 4/ Also includes labor used to repair:
 - a) oil exploration platforms;
 - b) vehicles, vessels or aircrafts that do not belong to companies that operates in the transportation sector.
- 5/ Includes RECOM system.
- 6/ Records the transfers relative to administrative expenses, such as: taxes, compensations, CPMF and IOF expenses, Securities Commission (CVM) inspection tax, etc. (NR)
- 7/ Comprehends operational commercial leasing operations, including of movable goods and transport without crew. Other operational commercial leasing operations must be classified under subsection 4.
- 8/ Includes recordings for exhibition in movie theaters and/or radio/TV broadcasting.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 10 - Miscellaneous Services

- 9/ Records subscriptions to newspapers and magazines made by natural or juristic persons, as well as those made by bookselling companies, including as intermediary.
- 10/ Includes revenues/expenses relative to banking services, such as: commissions on the negotiation of credit letters, postal expenses and taxes, etc. Does not include interests or commissions on loan and financing operations with bankers, which are to be classified under subsection 7.
- 11/ Records the value of contract commissions for the provision of services. Does not comprehend commissions in loan or financing operations, which are to be classified under subsection 7. Neither does it include commissions classified under code 45405.
- 12/ Records operations arising from communication services (postal, telephone, radio) exclusively by companies that exploit such services. Does not include transfers referring to profits, which are to be classified under subsection 8, or payments made to mail courier companies, which are to be classified under subsection 4.
- 13/ Does not include brokerage referring to stock market operations.
- 14/ To record transfer relative to school fees, proficiency fees, enrolment in symposia, conferences, round tables, seminars, meetings and alike, long distance courses, and other expenses charged by educational institutions, such as: boarding, food, or books.
- 15/ Comprehends copyrights as established by current legislation, but which do not have a specific code.
- 16/ For the payment of imports or the receipt of exports that have not been recorded at SISCOMEX, in accordance with the Office of the Federal Revenue Secretary's (SRF) and the Foreign Trade Secretariat's (SECEX) regulations. (NR)
- 17/ Comprehends contracts between Brazilian exporters and institutions headquartered abroad to guarantee the payment of their exports.
- 18/ Includes transfers related to price adjustment, weight, type or quality differences, etc.
- 19/ Includes an initial deposit for opening an account with brokers.
- 20/ Comprehends interests linked to hedge operations.
- 21/ Exclusive for occasional commitments limited to US\$3,000 (three thousand US dollars).
- 22/ Includes transfers relative to services directly linked to commercial transactions, such as storage, arbitrage, expert inspection, inspection and control of goods, participation in international biddings (including acquiring the call for tenders).
- 23/ Exclusive for technical-professional services not contemplated in other items of this subsection.
- 24/ Includes transfers relative to renting space, putting up stands, and receptions in the country or abroad.
- 25/ Records transfers in favor of press agencies.
- 26/ Records expenses related to emissive/receptive tourism referring to tourist services negotiated

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 10 - Miscellaneous Services

by tourism agencies and other tourist service providers. Includes the negotiation of tourist packages.

- 27/ Includes the rights for regular broadcasting of radio and television programs.
- 28/ Classifies transfers destined to pay for the registration of brand names or deposit of patents, as well as expenses for the maintenance of such registers or deposits.
- 29/ Records the movements of values relative to the negotiation of reduced emission certificates under the Kyoto Protocol.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 11 - Unrequited Transfers

NATURE OF THE OPERATION	CODE NO.
Retirement Benefits and Pensions 1/	53617
Official Lottery Tickets and Prizes	50005
Contributions to Class Entities and Associations	53435
Contributions to International Organizations - recurrent costs 2/	50043
- others 3/	50050
Donations 4/	50108
Inheritance and Legacy	53552
Income Tax	50153
Indemnifications and Fines 5/	50201
Maintenance of Residents	53758
Other Taxes	50256
Assets	53909
Awards granted in Cultural, Sports and Other Events	53631
War Reparations	50304
International Money Orders and Postal Refunds	53741
Transfers of small values 6/	50600

- 1/ Includes judicial pensions and contributions to social welfare entities.
- 2/ Records official contributions to cover administrative services of international entities. Does not include the quotes subscribed at the IMF, IDB, IBRD, and other international institutions, to be classified under subsection 14.
- 3/ Includes transfers destined to the creation of funds to finance regulatory stocks.
- 4/ Records donations of any nature, including inward resources related to scholarships offered by foreign entities to domicile in Brazil to bear the educational expenses in Brazilian territory.
- 5/ Restricted to transfers for the payment of fines and indemnifications for damages, through judicial determination or agreement between the parties, arising from the non-compliance with a contract clause or equivalent. Does not include insurance compensations, classified under subsection 5. Does not include compliance with warranties.
- 6/ Exclusive for transfers up to US\$3,000.00 (three thousand United States dollars).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 12 - Short Term Brazilian Capital

NATURE OF THE OPERATION	CODE NO.
Investments in the Capital Market – MERCOSUL	58100
Investments in the Financial Market	55111
Collaterals 1/	55127
Deposits in Foreign Currency Accounts in the Country 2/	55567
Judicial Deposits 1/	55251
Cash Abroad 3/	55000
(Revoked) Circular no. 3454/2009	55000
(Revoked) Circular no. 3454/2009	55500
Special Accounts 4/	55093
Loans to Residents Abroad 1/	
- direct loans	55505
- notes	55510
- commercial paper	55520
- bonds	55530
Exports – Linked to Loans 5/	55309
Financing to Other Countries for Brazilian Exports	
- of goods	
. PROEX - non-financed part	55402
. PROEX - amortization	55419
. Others - non-financed part	55428
. Others - amortization	55450
- of services	
. PROEX - non-financed part	55426
. PROEX – amortization	55433
. Others - non-financed part	55440
. Others – amortization	55470
Obligations Linked to Interbank Operations 6/	55048
Gold Operations 7/	58203

- 1/ Includes Performance Bond and Bid Bond, when linked to operations supported by registration at the Central Bank of Brazil.
- 2/ To be used according to the system described in sections 6 and 8 of chapter 14.
- 3/ Records transfers of funds relative to constitution of deposits in accounts abroad and their respective returns. Does not include deposits for opening accounts abroad with brokers relative to operations in stock markets, which are to be recorded under subsection 10.
- 4/ Records the movement of special loans or credits granted by international financial organizations or by foreign governmental agencies to Direct and Indirect Public Administration

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 8 - Coding of Foreign Exchange Operations

SECTION : 2 - Nature of Operation

SUBSECTION : 12 - Short Term Brazilian Capital

institutions in the Federal, State or Municipal levels and in the Federal District.

5/ Includes securitization operations.

6/ Restricted to operations where the client is a chamber or provider of clearance and settlement services in foreign exchange operations. The operation results from the participant in the said chamber or service provider not having honored their original commitment.

7/ Records purchases and sales of gold – exchange instrument with the institution itself.

8/ (Revoked) Circular no. 3454/2009

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 13 - Short Term Foreign Capital

NATURE OF THE OPERATION	CODE NO.
Investments in the Capital Market – MERCOSUL	63205
Collaterals 1/	60174
Deposits in Foreign Currency Accounts in the Country belonging to a Reinsurer 2/	60208
Judicial Deposits 1/	60325
Cash in the Country 3/	63009
Loans to Residents in Brazil 1/	
- bridge loans 4/	60514
- direct loans	60507
- notes	60758
- commercial papers	60600
- bonds	60703
Transactions in the Country in Accounts of Persons Domiciled Abroad	
- financial investments and redemptions at the institution itself 5	63102
- as a counterpart for foreign exchange operations 6	63150

NOTES

- 1/ Includes Performance Bond and Bid Bond, when linked to operations supported by registration at the BACEN/DECIC.
- 2/ To be used according to the system described in section 8 of chapter 14.
- 3/ Records the inflow and return of foreign currency promoted by residents and domiciled abroad.
- 4/ Records advance payments on account of long term loans.
- 5/ Exclusive for movements in reals for the purpose of registering financial investments and redemptions at the depositary bank itself. Investments of other natures must be classified under their specific codes.
- 6/ Records debits or credits of reals deriving from foreign exchange operations not classified as availabilities in the country.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 14 - Long Term Brazilian Capital

NATURE OF THE OPERATION	CODE NO.
Leasing	65050
Collaterals 1/	65076
Loans to Residents Abroad 1/	
- direct loans	65007
- notes	65010
- commercial paper	65020
- bonds	65030
Exports – Linked to Loans 2/	65306
Financing to Other Countries for Brazilian Exports	
- of goods	
. PROEX - non-financed part	65100
. PROEX - amortization	65227
. BNDES-exim - non-financed part	65148
. BNDES-exim - amortization	65272
. own resources - non-financed part	65155
. own resources - amortization	65289
. Others - non-financed part	65131
. Others - amortization	65210
- of services	
. PROEX - non-financed part	65117
. PROEX - amortization	65265
. BNDES-exim - non-financed part	65193
. BNDES-exim - amortization	65234
. own resources - non-financed part	65186
. own resources - amortization	65296
. Others - non-financed part	65179
. Others - amortization	65258
Direct Investment Abroad	
- shares in companies	68303
- other investments (including properties and other assets)	68657
Portfolio Investment Abroad	
- investment funds 3/	65409
- Brazilian Depositary Receipts	65454
- Depositary Receipts	65540
- by natural persons 4/	68509
- foreign securities	
. shares	65825
. bonds	65856
. debentures	65863
Brazilian Shares in the Capital of International Organizations	65612

NOTES

1/ Includes Performance Bond and Bid Bond.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 8 - Coding of Foreign Exchange Operations

SECTION : 2 - Nature of Operation

SUBSECTION : 14 - Long Term Brazilian Capital

2/ Includes securitization operations.

3/ Includes capital gains and losses. Does not include bonuses and dividends.

4/ Limited to operations involving natural persons working for Brazilian companies belonging to foreign economic groups.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 15 - Long Term Foreign Capital

NATURE OF THE OPERATION	CODE NO.
Purchase of Property 1/	73659
Financial Commercial Leasing 2/	70700
Collaterals 3/	70078
Loans to Residents in Brazil	
- direct loans 4/	70016
- commercial papers	70607
- notes 5/	70425
- bonds	70418
- Project 1/A – New Money Facilities 6/	70030
- Paris Club 6/	70054
- linked to exports 7/	70061
Direct Investment in Brazil	
- shares in companies in the country 8/ 9/ 10/	
. capital increase 11/	70188
. rights transfer 12/	70205
. capital complement – hybrid instruments 13/	70126
. loss absorption 14/	70133
Portfolio Investment in Brazil	
- investment supported by Res. 2689 8/	(Revoked)
- investment supported by Res. 2689 8/	
. shares 15/	70720
. fixed income	70833
. securities (art. 1º and 3º of the Law 12431)	70835 (NR)
. others	70875
- investment funds	
. privatization funds – new resources - Res. 1806/Circ. 1998	(Revoked)
. for investment in the capital market - Res. 1289, annex III 8/	(Revoked)
. fixed income - Res. 2034	(Revoked)
. mutual investment funds in emerging companies 8/	70353
. real estate investment funds 8/	70377
- Brazilian securities	
. shares 15/	(Revoked)
. Depositary Receipts	70339
. Brazilian foreign debt securities	(Revoked)
. others	(Revoked)
Import Financing Registered with the Central Bank of Brazil	
- amortization 16/	
. goods	
. oil	70566
. others	70487
. services	70494
. linked to exports 7/	70528
- inflow	
. Local expenses 17/	70535

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 15 - Long Term Foreign Capital

Commitments in the Domestic Market 18/

70542

NOTES

- 1/ Does not include the purchase of property in the country for the effect of registration at the Central Bank of Brazil (DECIC).
- 2/ Records the operations of financial leasing of assets of any nature where the lessor is not resident and the leaseholder is resident in Brazil.
- 3/ Includes Performance Bond and Bid Bond.
- 4/ Does not include operations with the IBRD, IDB and Fonplata.
- 5/ Includes operations of Floating Rate, Fixed Rate Notes, Floating Rate Certificates of Deposit, Fixed Rate Certificate of Deposits, etc.
- 6/ Exclusive for the Central Bank of Brazil.
- 7/ Includes securitization operations.
- 8/ Includes capital gains or losses. Does not include bonus and dividends.
- 9/ Includes the purchase of property for the effect of registration at the Central Bank of Brazil (DECIC).
- 10/ Does not include portfolio investment.
- 11/ Comprehends the purchase or sale of assets that represent a real increase or reduction of a Brazilian company's capital.
- 12/ Comprehends the purchase or sale of assets that represent a transfer of shares without real increase or reduction of a Brazilian company's capital.
- 13/ Operation subject to previous approval by the Central Bank of Brazil. Records the part of resources belonging to third parties destined to complement the reference assets of financial institutions.
- 14/ Comprehends inflows and credit conversions to absorb losses.
- 15/ Comprehends the purchase or sale of shares referring to a securities portfolio, provided that the transaction does not result in a transfer of the company's controlling interests.
- 16/ Comprehends transfers supported by operations registered with the Central Bank of Brazil (DECIC) to pay for imports of goods and services.
- 17/ Includes operations with the IBRD, IDB and Fonplata and the currency inflows destined to cover local expenses of financed import operations.
- 18/ Records receipts by delivery of products on national territory to residents in the country in the situations not covered by article 6 of Law no. 9826, of 1999, observing the provisions of section 5 of chapter 9.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 16 - Monetary Gold

NATURE OF THE OPERATION	CODE NO.
Purchases Abroad	75004
Purchases in the Country	75107
Sales Abroad	75509
Sales in the Country	75602

NOTE

Subsection for sole use by the Central Bank of Brazil.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 8 - Coding of Foreign Exchange Operations

SECTION : 2 - Nature of Operation

SUBSECTION : 17 - Arbitrage

NATURE OF THE OPERATION	CODE NO.
Operations in the Country	
- prompt settlement	80013
- future settlement	80518
Operations Abroad	
- prompt settlement	83034
- future settlement	83058

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 18 - Operations between Institutions

NATURE OF THE OPERATION	CODE NO.
Operations in the Country	
- automatic interbank	
. prompt settlement	90302
. future settlement	90357
- (Revoked) Circular No. 3591/2012	
. (Revoked) Circular No. 3591/2012	
. (Revoked) Circular No. 3591/2012	
- with gold	
. prompt settlement	93017
. future settlement	93024
Operations with overseas banks against Brazilian reals banknotes and coins sent to or received from abroad	90500

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 19 - Operations with the Central Bank of Brazil

NATURE OF THE OPERATION	CODE NO.
Specific Surrender 1/	95503
Market Purchases to the Central Bank	95620
Specific Transfers 2/	95008
Mandatory Transfers 3/	95204
Market Sales to the Central Bank	95101

REMARK

This subsection does not cover foreign currency purchase and sale operations to the Central Bank for, respectively, constituting or releasing deposits in foreign currency that are classified under subsection 20.

NOTES

- 1/ Applicable to cases where the contracting of foreign exchange operations with the Central Bank of Brazil is mandatory under current regulation, or when it refers to sales to clients those are subject to such condition.
- 2/ Applicable to cases where the transfer operation refers to the purchase of foreign currency by a client and subject to such condition under current instructions.
- 3/ Applicable to cases where the transfer to the Central Bank of Brazil is required under current instructions.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 20 - Special Operations

NATURE OF THE OPERATION	CODE NO.
Adjustment of foreign exchange position related to information sent by PSTAW10 application 5/ Assumption of debts 1/	99000 99176
Deposits at the Central Bank of Brazil – Circular no. 1303 2/	99671
Linking BNDES-exim 3/	99224
Linking PROEX 3/	99217
Others 4/	99200
Payment of Foreign Debt to Invest in Environmental Projects	99183

NOTES

- 1/ Records currency regularization operations referring to the assumption of debts in foreign currency.
- 2/ Records special operations (with clients and/or the Central Bank of Brazil) relative to the internal redemption of foreign loans, as well as their reinvestment in the country, constitution and release of deposits at the Central Bank of Brazil supported by the said norms.
- 3/ To be used in operations to link foreign exchange contracts with PROEX or the BNDES-exim Program, as provisioned for in chapter 11.
- 4/ For the exclusive use of the Central Bank of Brazil. Records the other special foreign e purchase and sale operations, including for the purpose of currency regularization.
- 5/ Records operations related to international travels and to current transfers up to US\$3,000.00 (three thousand United States dollars) done directly with clients and the operations done by hired companies, as provided by chapter 2 of title 1.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 21 - Clients

1 – OFFICIAL BRAZILIAN ENTITIES	CODE NO.
- Federal (includes direct and indirect federal administration organizations and entities not classified under any other group. Does not include public enterprises, mixed economy societies, foundations under public law and official financial institutions)	12
- State (includes direct and indirect administration organizations and entities of the states and the Federal District not classified under any other group. Does not include public enterprises, mixed economy societies, foundations under public law and official financial institutions)	13
- Municipal (includes direct and indirect local administration organizations and entities not classified under any other group. Does not include public enterprises, mixed economy societies, foundations under public law and official financial institutions)	14
2 – NATIONAL FINANCIAL SYSTEM ENTITIES	CODE NO.
- Savings and Loans Associations	15
- Central Bank of Brazil	11
(Revoked) Circular No. 3591/2012	
- Foreign Commercial Banks – Branches in the Country	21
- Commercial Banks	23
- Development Banks	24
- Investment Banks	25
- Multiple Banks	30
- National Economic and Social Development Bank – (BNDES) (includes <i>Finame</i> and <i>BNDES Participações</i>)	17
- State Public Banks (Commercial or Multiple)	19
- Federal Public Banks (Commercial or Multiple) (includes <i>BASA</i> , <i>BEC</i> and <i>BNB</i>)	22
- Stock Exchanges (includes settlement institutions when constituted in the form of civil or commercial societies)	26
- State Savings and Loans Bank (<i>Caixa Econômica Estadual</i>)	28
(Revoked) Circular No. 3591/2012	
- Clearing house of clearing bank and provider of settlement services for foreign	

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 21 - Clients

exchange operations	07
- Credit Cooperatives	29
- Private Welfare Open Entities	31
- Private Welfare Closed Entities	32
- Financial Institutions – Brazilian, Others	48
- Financial Institutions – Foreign, Others (restricted to foreign financial institutions authorized to operate in the country, which are not classified under any other group. Does not include foreign commercial banks authorized to operate in the country and financial institutions abroad, which are to be classified respectively under codes 21 and 77)	49
- Not Specified/Others	41
Local Reinsurers (includes <i>IRB – Brasil Resseguros S.A.</i>)	33
Foreign Reinsurers (admitted or occasional)	37
- Foreign exchange Brokers	53
- Insurance or Reinsurance Brokers	54
- Securities Brokers	38
- Commercial Leasing Societies	36
- Credit, Financing and Investment Societies	39
- Real Estate Credit Societies	42
- Investment Societies – Foreign Capital	46
- Securities Dealers	43
- Brazilian Insurance Societies	34
- Foreign Insurance Societies (when the totality or majority of the capital of the insurance company belongs to a natural or juristic person domiciled abroad)	47
3 - OTHER ENTITIES	CODE NO.
- Tourism agencies	03
- Foreign Entities Agents and Representatives (includes offices of agents and representatives of foreign companies, banks, shipping companies, trade promotion companies, etc.)	90

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 21 - Clients

- Brazilian Post and Telegraph Company (ECT)	60
- Companies Situated in EPZs	51
- Brazilian Private Licensed Duty Free Shops (does not include foreign companies' subsidiaries and branches)	45
- Brazilian Private Utility Companies (does not include foreign companies' subsidiaries and branches)	40
- Brazilian Public Enterprises	44
- Foreign Official Entities (includes diplomatic or consular representations and foreign governmental international bodies)	70
- Brazilian Private Companies, Others (includes foundations under private law. Does not include foreign companies' subsidiaries and branches)	50
- Plurinational Public Enterprises (restricted to entities formed by Brazilian and foreign government capitals)	65
- Foundations under Public Law	72
- Institutions allowed to operate in the Foreign exchange market	76
- Financial Institutions Abroad (restricted to foreign arbitrage operations)	77
- Tourist Lodging Facilities	05
- Natural Persons Domiciled in Brazil	95
- Natural Persons Domiciled Abroad	99
- <i>Petróleo Brasileiro S.A. (PETROBRAS)</i>	82
- Public and Private Joint Stock Corporations and their Non-financial Subsidiaries	20
- Private Utility Companies Subsidiaries or Branches. (specific for private utility companies, subsidiaries or branches of foreign companies)	80
- Subsidiaries or Branches of Other Foreign Companies (specific for companies that are not private utility companies, subsidiaries or branches of foreign companies)	85
- Subsidiaries or Branches of Other Domestic Companies (specific for private utility companies)	88
- Exporters/Importers – Simplified Foreign Exchange	92

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 8 - Coding of Foreign Exchange Operations

SECTION : 2 - Nature of Operation

SUBSECTION : 22 - Guarantee by the Brazilian Government and Reciprocal Payments and Credits Agreement

1. The existence of a guarantee by the Brazilian Government (directly granted by the Federal Government or on its behalf) and the conduction of any operation under the CCR for contracts signed until September 30, 2011, must be indicated through a code-number: (NR)

0 – For transactions that do not have the Brazilian Government's guarantee

1 – For transactions that have the Brazilian Government's guarantee

2 – For transactions that do not have the Brazilian Government's guarantee – CCR

3 – For transactions that have the Brazilian Government's guarantee – CCR

- 2 The existence of a guarantee of the Brazilian Government (directly granted by the Federal Government or on its behalf, starting on October 3, 2011, should be noted:

S- For transaction with the approval of the Brazilian Government;

N- For transaction without the approval of the Brazilian Government. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 23 - Payers/Receivers Abroad

1- INTERNATIONAL ORGANIZATIONS

CODE	NAME
04	Inter-American Development Bank (IDB)
06	International Bank for Reconstruction and Development (IBRD)
38	International Monetary Fund (IMF)
72	Other international organizations (does not include entities controlled by the IDB, IBRD or IMF, which are to be classified under the codes provided above)

2- OTHERS

CODE	NAME
80	Central Bank of Brazil
81	Bank in the Country
82	Bankers
87	Brazilian Official Entities
89	Brazilian Private Entities
91	Companies Situated in EPZs
92	Foreign Governments
93	Headquarters
94	Other Foreign Official Entities (includes foreign governmental organizations)
95	Other Foreign Private Entities
96	Natural Persons Domiciled in Brazil
97	Natural Persons Domiciled Abroad
98	Subsidiaries and Branches
99	Not Specified

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 24 - Group

CODE	NAME
20	Oil-Risk Contracts
23	Operations with the Central Bank of Brazil – Reference tax Ptax 2/
30	Drawback
35	Drawback (using Banco do Brasil S.A./EXIMBANK-USA Credit Line)
40	Exports on consignment
42	Using export credit insurance
45	Banco do Brasil S.A./EXIMBANK-USA Credit Line (for specific foreign currency surrender, financed part and interests, excluding drawback)
46	Conversions and transfers between foreign capitals modalities 1/ (NR)
47	Foreign capital – Characteristics change 6/ (NR)
49	Values Return 3/
50	Advance Receipt/Payment – Importer (Export/Import)
51	Advance Receipt/Payment – Third Parties (Export/Import)
52	Advance Receipt – Export – operations with maturity above 360 days
53	(Revoked) Circular no. 3454/2009
57	Export financing (Resolution no. 3622) 4/
72	Operation made by Banknotes Dispenser Machines
60	Payment orders in Brazilian currency - Third parties 5/
89	(Revoked)
90	Others

(Revoked) Circular no. 3454/2009

10	(Revoked) Circular no. 3454/2009
11	(Revoked) Circular no. 3454/2009
12	(Revoked) Circular no. 3454/2009
13	(Revoked) Circular no. 3454/2009
16	(Revoked) Circular no. 3454/2009
17	(Revoked) Circular no. 3454/2009

NOTES

- 1/ Records the simultaneous settlements of foreign exchange or international transfers in Brazilian reals, without actual delivery, and it must observe the appropriate nature fact corresponding to the type of asset and to the modality of foreign capital registered at the Central Bank of Brazil, linking each foreign exchange contract type 2 or type 4 to one foreign exchange contract type 3. The group code refers to:
- a) conversion of assets of non residents in a modality of foreign capital that is subject to register with the Central Bank of Brazil;
 - b) transfer between modalities of foreign capital registered with the Central Bank of Brazil; or
 - c) incorporation in portfolio, by a non resident, of Brazilian Depositary Receipt (BDR) issued by the depositary institution, backed by security owned by the same nonresident investor and deposited at the institution responsible for the custody of the BDR program, following CVM regulation. (NR)
- 2/ Code for sole use by the system. Restricted to foreign exchange operations recorded at transaction PCAM380 those have Ptax as the reference tax and where one of the parties is the Central Bank of Brazil.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 2 - Nature of Operation
SUBSECTION : 24 - Group

- 3/ To be used in the classification of foreign exchange operations relative to transfers from and to other countries, for the return of values not used for the purpose originally indicated or transferred in an improper way, having observed the other provisions described in chapter 1 of this title.
- 4/ Restricted to exchange operations due to export financing arrangement under Resolution no 3622, of 2008, and related regulation.
- 5/ To be used in recordings of international transfers in Brazilian reals in amounts equal to or greater than R\$10,000.00 (ten thousand Brazilian reals) with debit against foreign bank accounts in the interest of third parties.
- 6/ For use in renewal, renegotiation and obligation assumption of foreign loan subject to registration with the Central Bank of Brazil, hired directly or by the issuance of securities in the international market, whose simultaneous foreign exchange operations or international transfers in Brazilian reals without actual delivery of the assets, shall follow the use of nature of the corresponding type of foreign capital, linking each foreign exchange contract into a similar one with the opposite position.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 3 - Relationship

1. The link relation is classified according to the codes below:
 - 1 – subsidiary
 - 2 – own
 - 3 – branch
 - 5 – headquarters
 - 7 – minority capital share
 - 9 – associated (when the link is not classifiable under the codes above)
 - 0 – no link
2. The classification described in the previous paragraph is based on a client selling or purchasing foreign currency in Brazil, in relation to a payer or receiver abroad.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 8 - Coding of Foreign Exchange Operations
SECTION : 4 - Form of Foreign Currency Delivery

CODE	DENOMINATION
10	Letter of Credit – on demand
15	Letter of Credit – term
20	Checking Account (NR)
30	Check
	(Revoked) Circular no. 3545/2011 (Revoked) Circular no. 3545/2011
50	In Cash and/or Traveler Checks
55	Prepaid Cards
65	Teletransmission
75	Securities 1/
90	Symbolic

NOTES

- 1/ Used for securities, bills of exchange and other credit notes whenever the endorsement characterizes its transfer to the institution negotiating on foreign currency. The securities transferred at the time of settling the foreign exchange contract must be the subject of a specific contract clause.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 9 - Financial Transfers

SECTION : 1 - General Provisions

1. (Revoked) Circular no. 3390/2008
 2. This chapter deals with the complementary procedures to financial transfers related or not to commercial operations.
 3. (Revoked) Circular no. 3401/2008
 4. The payment abroad of expenses related to Brazilian exports may be made by a third party other than the exporter, provided that this third party is legally qualified as the debtor of the obligation abroad.
 5. In operations linked to commercial expenses of the same nature and same beneficiary/payer, the delivery of documents by the bank may, by consensus between the parties, be replaced by the delivery of a statement signed by the client negotiating on foreign currency, who has the duty to keep the original documents for a five-year period, beginning on the year following the performance of the foreign exchange operation or the international transfer in Brazilian reais, to be presented to the intervening bank, when requested.
 6. The statement mentioned in the previous paragraph must contain the following information:
 - a) when relative to the transport of cargo: Incoterm total values of transport relative to Brazilian exports, and Incoterm total values of transport relative to Brazilian imports, as well as the total values retained in the country referring to such businesses;
 - b) when relative to tickets and unaccompanied baggage: total values relative to tickets and total values relative to unaccompanied baggage, as well as the total values retained in the country referring to such businesses;
 - c) in the other cases, the individual value, the purpose of the transfer and data relative to exports and imports contained in the SISCOMEX.
 7. For parcels sent from abroad, in the event of the foreign exchange operation being conducted by an intermediary or representative, it is also necessary to observe that:
 - a) the intermediary or representative must have been given a proxy by each of his clients to carry out the foreign exchange operations;
 - b) a single foreign exchange operation may be done, provided that a duly referenced list be attached to the operation file (number and date), containing the name of each of the clients, with an indication of their respective CPF numbers and the value of each individual remittance;
 - c) the payment of the corresponding amount in national currency of the foreign exchange operation may be made by the intermediary or representative in the forms indicated in chapter 1. (NR)
 8. Premium and indemnity relative to an insurance or reinsurance contract signed in foreign currency, including export credit, are paid by means of a bank transfer, in foreign currency, observing the following:
 - a) premium can be paid using resources available abroad or by means of contracting and settlement of a foreign exchange operation and delivering the foreign currency for purpose of credit to the account of the insurance company, the reinsurance company or the reinsurance broker, as appropriate;
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 9 - Financial Transfers

SECTION : 1 - General Provisions

- b) indemnity is paid with resources from the accounts, as dealt with in chapter 14, section 8, directly, by means of a domestic or international payment order to the beneficiary.
9. In addition to the information established in foreign exchange regulation, the following individuals and companies must provide to the Central Bank of Brazil, in the form and conditions established, data and information related to the payments and receipts of such activities:
- a) transporters, their agents or representatives, as well as other companies operating on international transport of passengers, baggage and cargo;
 - b) insurance companies, local reinsurance companies, admitted reinsurance companies and reinsurance brokers.
10. In the event of foreign currency resources being brought into the country for the purpose of covering the costs of a transporter residing, domiciled or headquartered abroad, where there has not been the use of the total corresponding value in national currency resulting from the foreign exchange operation, the unused balance may be used to repurchase foreign currency, and the transporter's representative must keep the documentation proving such situation in their files for a five-year period, starting from the year following the performance of the foreign exchange operation, to be presented to the intervening bank, when requested.
11. The provisions for opening and maintaining, at a bank authorized to operate in the exchange market, a deposit account in foreign currency in the name of the transporter residing, domiciled or headquartered abroad and for the transitory retention of estimated values for future use in the payment of expenses incurred in the country are contained in section 9 of chapter 14.
12. In the case of purchase of foreign currency by bank authorized to operate in the foreign exchange market or in the case of international transfer in Brazilian currency deriving from a payment made by someone resident, domiciled or headquartered abroad to someone resident, domiciled or headquartered in the country for the sale of products to be delivered on Brazilian territory in those situations that are not covered by article 6 of Law no. 9826, of August 23, 1999, such operations must be classified under nature *70543 – LONG TERM FOREIGN CAPITALS – Commitments in the Domestic Market*, and in the event of non-delivery of the products within three hundred and sixty days from the date of payment, the credit holder must:
- a) with prior approval of the payer abroad, convert it into direct capital investment or in a cash loan duly registered with the Central Bank of Brazil, under the terms of Law 4131, of September 03, 1962, and applicable regulation; or
 - b) return abroad the amounts that had been entered in Brazil as foreign capital, regarding tax regulation on resources not destined to exports.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 9 - Financial Transfers

SECTION : 2 - (Revoked) Circular no. 3493/2010

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 9 - Financial Transfers

SECTION : 3 - (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 9 - Financial Transfers

SECTION : 4 - Government Remittances

1. The sales of foreign currency for the payment of pensions, retirement benefits, health treatment, support to civil servants appointed or transferred abroad, obligations to educational and research institutions abroad, expenses with servants during official missions abroad, as well as benefits granted to travelers going abroad or already in a foreign country with the objective of following an educational, scientific or cultural program, may be made:
 - a) in cash, given directly to the traveler in the country or to a representative enabled by an internal juristic person under public law for later transfer to the final beneficiary of the resources; or
 - b) through bank order, for direct delivery to the final beneficiary abroad, or in favor of the same internal juristic person under public law that is responsible for the acquisition of foreign currency, which will then proceed to transfer the resources to the final beneficiary abroad.
2. The use of the prerogative described in this section does not prevent the acquisition of foreign currency with travelers' own resources.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 9 - Financial Transfers

SECTION : 5 - (Revoked) Circular no. 3493/2010

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers (NR)

SECTION : 1 - International Travels

1. This section addresses purchases and sales of foreign currency, including in cash or traveler checks, destined to meet personal traveling expenses related to:
 - a) tourism, in the country or abroad;
 - b) business, services or training;
 - c) official government missions;
 - d) participation in sports competitions, including training expenses;
 - e) educational, scientific or cultural purposes.
2. (Revoked) Circular no. 3545/2011
3. The purchase of foreign currency may be made in parts, with the purpose of meeting expenses abroad during international travels.
4. Traveling expenses include purchases and sales of foreign currency to meet health treatment expenses, including:
 - a) payment of exams and other medical and laboratory services occurred abroad related to health treatment in the country;
 - b) the purchase, by a natural person, of medications not destined to commercialization.
5. In foreign currency purchase or sale operations from or to travelers, the clients' identification documents may be accepted as documentary evidence, as described in this regulation.
6. It is allowed the use abroad by travelers residing in Brazil and the use in Brazil by travelers residing abroad of cards of international use, remarked that the payments and receipts must be informed to Central Bank of Brazil, in accordance to subsection 3 of the section 2 of this chapter.
7. To persons residing, domiciled or headquartered abroad, when leaving the national territory, the purchase of foreign currency with the Brazilian reais initially acquired and not used is allowed, in the case of operation beyond US\$10,000.00 (ten thousand Brazilian reais) is required the presentation of:
 - a) the declaration of transport of currencies, to the Federal Revenue Secretary of Brazil upon entry in the country; or
 - b) proof of previous foreign exchange sale done, by the client, to an institution authorized to operate in the foreign exchange market.
8. In the cases where cards of international use are used to draft money, the right of repurchase is exercised by presenting the magnetic card, passport or identity card, together with the bank statement issued by the automatic teller machine at the moment of the draft.
9. Persons resident and domiciled abroad who are temporarily in the country, as well as Brazilian citizens resident or domiciled abroad, are allowed to receive foreign currency in cash or traveler checks through payment orders in their favor or by using their international credit card; such operations must be performed without the formalization of foreign exchange contract (NR).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers (NR)
SECTION : 2 - Card of International Use(NR)

1. This section covers the use of card for international use, in Brazil or abroad, and permitted their use for drawing and for procurement of goods and services, as well as payment / receipt to / from abroad to purchase goods and services through company of international payments.
2. Regarding the use of international card issued in Brazil:
 - a) the issuer shall submit to the Central Bank of Brazil until the 10th of each month, via Internet (according to instructions contained on the site www.bcb.gov.br, download option, PSTAW10 application) or via the Connect system, the data for the following operations made in the previous month by cardholder: withdrawals and purchases of goods and services, LOGIN or indicating the CPF cardholder, identified the owner of the scheme payment (flag), and the amount per beneficiary abroad;
 - b) in the specific case of credit card, the bill of costs should be issued in real informing the customer each item in the currency in which it was held, distinguishing the subtotal on the looting and subtotal purchases of goods and services, such invoice shall be paid by bank equivalent in actual day of payment.
3. Regarding the use of international card use issued overseas:
 - a) can be accepted by the licensed to accept such an instrument by company that owns the licensing or pay scheme domiciled in Brazil;
 - b) can also be accepted by multiple banks with commercial portfolio or credit real estate, commercial banks and savings banks in the following situations:
 - I - credit the account, demand deposit account or savings deposits that is Resolution no. 3203, of June 17, 2004 by credit card;
 - II - pursuant to Resolution no. 3213, of June 30, 2004, through credit card by an individual entitled to credit the account of deposits or account of savings deposits titrated by an individual domiciled in the country, as well to comply with the order of actual payment, transmitted through payment card and other instrument titrated by an individual in favor of natural person domiciled in the country;
 - c) the accreditation, the owner of the payment schedule or institutions referred to in Item 3, "b", shall transmit to the Central Bank of Brazil until the 10th of each month, via the Internet (according to instructions contained on the site www.bcb.gov.br, download option, PSTAW10 application) or via the Connect system, the ratio of the values for the looting and purchases of goods and services made in the previous month, broken down or LOGIN CPF beneficiary, the owner of the payment scheme (flag), the type of instrument, the holder, card number and country of the payer abroad
4. It is acknowledged receipt from the sale of goods and services abroad with the use of facilitating international payments company domiciled in the country, observed that such:
 - a) transmit to the Central Bank of Brazil until the 10th of each month via the Internet (as instructions on the site www.bcb.gov.br, download option, application PSTAW10) or via the Connect system, the relationship of the figures relating to purchases of goods and services performed in the previous month, broken down LOGIN or beneficiary and the CPF for the payer abroad, your name, country and registration number with the company;

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers (NR)
SECTION : 2 - Card of International Use(NR)

- b) make payment to the beneficiary only in real resources through credit to your deposit account or credit card ownership.
- 5. The bank account in real maintainer titrated by company facilitating payments is responsible for identifying international business characterized as candidates for special attention to the regulations on prevention and control activities related to the crimes defined in Law no. 9613, of March 03, 1998
- 6. The acquisition abroad of goods and services through companies that facilitate payments organizations is allowed only through the use of credit cards for international use, the issuer shall follow the provisions of item 2
- 7. Issuers, acquirers, owners of the payment scheme, companies facilitate international payments and institutions referred to in item 3, "b", must keep in its possession documents showing that the information forwarded to Central Bank of Brazil, as well as provide information and take steps to rectify situations at variance with the provisions of this title.
- 8. The Central Bank of Brazil shall inform the competent public authorities, as required by law, any evidence of irregularities or crimes of public action that may be detected in operations addressed in this section.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers (NR)

SECTION : 2 - Card of International Use (NR)

SUBSECTION : 1 - (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers (NR)

SECTION : 2 - Card of International Use (NR)

SUBSECTION : 2 - (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers (NR)

SECTION : 2 - Card of International Use (NR)

SUBSECTION : 3 - (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers
SECTION : 3 - Postal Transfers

1. The Brazilian Post and Telegraph Company (ECT) is authorized to operate the modalities of international money order and postal order, observing the conditions established in this section.
2. Under the mechanism for international money orders may be conducted the following operations:
 - a) issuing and receiving money orders for the purposes of:
 - I - maintenance of natural persons abroad;
 - II - contribution to associative and welfare entities;
 - III - purchase of computer software for personal use;
 - IV- retirement benefits and pensions;
 - V - purchase of medications abroad, not destined for commercialization;
 - VI - miscellaneous commitments, such as rent of vehicles, traffic fines, hotel bookings, communications, subscriptions to newspapers and magazines, other occasional expenses, payment for books, newspapers, magazines and similar publications, when the import is not subject to registration with SISCOMEX;
 - VII - payment of repairs, upgrades and reconditioning of machinery and parts;
 - VIII -donations;
 - b) receiving money orders, to payment for Brazilian exports conducted under the system of non-simultaneous simplified export foreign exchange, observing in this case the limit of US\$50,000 (fifty thousand US dollars) per operation;
 - c) issuing money orders, in payment of Brazilian imports conducted under the system of simplified import foreign exchange, observing in this case the limit of US\$50,000 (fifty thousand US dollars) or its equivalent in others currencies, per operation.
3. The ECT is also authorized to make - directly at the banking network authorized to operate in the exchange market - the payments and receipts in foreign currency related to international postal orders, postal remittances and international orders, simplified foreign exchange related to exports and imports, as well as to adjustments of accounts maintained associated institutions abroad related to postal services and telegrams services.
4. The ECT must record the following information at the Central Bank through application PSTAW10 by the 10th day of each month, in a consolidated way:
 - a) list of the values of IMOs issued in the month immediately before by order of persons resident in the country, indicating the name, CNPJ/CPF number, nature of the remittance, as well as country of destination and name of beneficiary abroad;
 - b) list of values paid to residents in the country in the month immediately before, indicating the CNPJ/CPF number, name, zip code and federation unit of the beneficiary, as well as the nature of the remittance, the country of origin and name of the sender;
 - c) balance on the last business day of the previous month and movements occurred in the foreign currency account, indicating the total value referring to IMOs and Postal Orders.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers

SECTION : 3 - Postal Transfers

5. In addition, the ECT must:

- a) demand from its clients, when performing the operations authorized under this section, documentary evidence in support of each operation as well as fulfill the others requirements established in legislation and regulation;
- b) keep proper records and maintain the documents that support the operations performed for five years after the end of the financial year to which they refer, for presentation to the Central Bank of Brazil, when requested;
- c) keep in its possession the set of documents, contracts and bookkeeping records that prove the information sent every month to the Central Bank of Brazil, as well as provide explanations and adopt any necessary measure to regularize any situation that may be in disagreement with the provisions of this chapter;
- d) inform its clients that the Central Bank of Brazil may inform the Office of the Federal Revenue Secretary of any occasional irregularities that are detected, as well as adopt the applicable measures under its competence in the event of any improper use or non-compliance with the specific rules for transfers conducted under this system.

6. Any type of compensation is forbidden, and the ECT must separately promote, for their total value, the payments and receipts arising from:

- a) international money orders and postal orders received from different postal administrators;
- b) international money orders and postal orders issued for different postal administrators;
- c) postal services;
- d) other payable or receivable expenses or services relative to the provision of services arising from ECT end-activities, not mentioned in the previous subparagraphs.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 10 - International Travels, Cards of International Use and Postal Transfers (NR)

SECTION : 4 - Tourism Services

1. On payments to other countries of expenses related to tourist services sold by tourism agencies and other tourist service providers classified by the Brazilian Tourism Institute (EMBRATUR), authorized or not to operate in the exchange market, the service providers' commissions must be deducted and the conditions set out in this section must be observed.
2. For the effects of Paragraph 1 of this section, the tourism agency or the tourism service provider must request that a financial institution or other institution authorized to operate by the Central Bank of Brazil, authorized to operate in the foreign exchange market, issue a payment order in favor of the operator abroad (agent or representative), regarding that delivery by check is admitted.
3. Until the effectuation of the remittance to another country (emissive tourism), tourism agencies or service providers may perform partial purchases of foreign currency from agents authorized to operate in the exchange market, and the value acquired must be credited to a bank account opened in their name at a bank authorized to operate in the exchange market.
4. The operation of the account mentioned in the Paragraph 3 of this section must obey the provisions of chapter 14 of this title.
5. Tourism agencies or service providers must keep in their possession a nominal list of travelers, indicating their address, CPF number, passport number, ticket number, and values charged by the beneficiary abroad, for presentation to the Central Bank of Brazil, when requested.
6. Revenues from receptive tourism from abroad obtained by tourism agencies and other tourist service providers classified by EMBRATUR must be negotiated with a financial institution or other institution authorized to operate by the Central Bank of Brazil, authorized to operate in the foreign exchange market, within five business days after being received, and sellers must file a copy of the documentary evidence relative to the sale made in their own name.
7. Alternatively, the revenues mentioned in Paragraph 6 of this section can be credited to the account in foreign currency mentioned in Paragraph 3 of this section.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 1 - General Provisions

1. This chapter deals with operations in the foreign exchange market relative to Brazilian exports of goods and services.
 2. Brazilian exporters of goods and services can maintain abroad the totality of the revenues obtained from their exports.
 3. The entry in the country of export figures can be given in national currency or foreign regardless of the currency in the documentation that supports the export preview or after the shipment of the goods or the provision of services, and contracts exchange may be concluded for immediate or future settlement, subject to regulations into force.
 4. The export exchange contracts are settled by delivery of the currency foreign or document that represents the bank with which they have been concluded.
 5. The receipt of the value in foreign currency deriving from the export must occur:
 - a) through a credit of correspondent value to the exporter account maintained abroad in a bank;
 - b) by agreement between the parties, through a credit of corresponding value to an account of a bank authorized to operate in the Brazilian exchange market, as configured in current regulation; or
 - c) through international transfer in Brazilian reals, including payment orders in domestic currency from abroad under the regulations in force.
 6. It is allowed the receipt in others manners besides the ones showed in item 5 in the cases of international credit card, international postal money order or other instrument in the situations ruled in this Regulation.
 7. In the case of delivery of foreign currency in cash or traveler checks to an agent authorized to operate in the exchange market, when the foreign currency amount is equal or higher than R\$ 10,000.00 (ten thousand Brazilian reals), it must be showed to the agent a copy of the Declaration of Transport of Currencies (DPV) presented to the Secretary of the Federal Revenue of Brazil, dispensed this presentation only in the case of export foreign exchange of supply of products of use and consumption on board, as well as sells in internal market to residents, domiciled or headquartered abroad of precious and semi-precious stones, precious metals, its artworks and jewelry artifacts , provided compliance to specific regulation of the Foreign Trade Secretariat - Secex.
 8. Instructions for payment or credit abroad to third parties are prohibited, for any export value, except in the following cases:
 - a) commission for the agent and sums of other nature owed to third parties, residing or domiciled abroad, as established in the respective export register contained in the Integrated Foreign Trade System (SISCOMEX);
 - b) exports conducted by intermediaries abroad of individual value up to US\$10,000 (ten thousand United States dollars) or its equivalent in other currencies.
 9. (Revoked) Circular no. 3575/2012
 10. The receipt of export proceeds can occur in any currency, including reals, regardless of the currency established in the respective export register at the SISCOMEX.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 1 - General Provisions

11. For the purposes and effects of the provisions of this chapter, the following definitions apply:
- a) service exports: operations defined by the Ministry of Development, Industry and Foreign Trade;
 - b) shipping date: date of issuing the bill of lading of international transport recorded at SISCOMEX, observing that in the cases where such date is not available, one of the following dates is to be considered the shipping date for the purposes of this Regulation:
 - I - date of legalizing the transaction;
 - II - in the specific case of goods admitted in special customs regimes, date of the document that is equivalent to an international bill of lading.
12. Sales of goods and services to other countries by a natural or juristic person may, at own discretion of the exporter, have their respective foreign exchange operations conducted under the support of the simplified export Foreign Exchange System, regulated in section 2 of this chapter. (NR)
13. The inflow of values in the country as payment for goods sent abroad without registers at SISCOMEX, under applicable legislation, must be treated as a financial transfer.
14. (Revoked)
15. After agreement between the parties, the foreign exchange contract linked to the operation that is the subject of export credit may have its settlement deadline extended for the exact value of the object of insurance, for up to 180 days starting from the maturity date of the respective bill of exchange, observing that such extension is conditional upon altering the group code for the nature of the operation to "42 - Use of export credit insurance" and, at the end of this period or as soon as the value is cleared by the insurer, whichever happens first, the foreign exchange contract must be:
- a) settled for the valued cleared by the insurer, which shall correspond to at least 85% of the value that is the object of export credit insurance; and
 - b) canceled or written off for the remaining value.
16. Payments in foreign currency by a resident abroad to a resident in the country arising from sales of products to be delivered in Brazilian territory are conducted under the support of chapter 9 of this title, except when otherwise treated in current legislation or regulation.
17. The following are subject to general export rules:
- a) operations included in Law 9826, of August 23, 1999;
 - b) supply in the country of fuels, lubricants and products for use or consumption on board, for which there is an export register with transaction legalized at SISCOMEX;
 - c) goods admitted in a Certified Customs Deposit (DAC).
18. In addition to the general provisions, specific aspects addressed in dedicated chapters of this regulation must also be observed, including, where applicable, chapter 16 (Countries with Special Foreign Exchange Provisions) and 17 (Reciprocal Payments and Credits Agreement).
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 1 - General Provisions

19. The regularization of export foreign exchange contracts occurs through prorogation, settlement, cancellation, or write-off, observing the deadlines and other conditions established in the regulations.
20. (Revoked) Circular no. 3454/2009
21. It is accepted contracting foreign exchange operation as well as executing international transfers in Brazilian currency by a person other than the exporter in the following cases:
 - a) merger, split-up or incorporation of companies and other cases of contractual succession provided for by law;
 - b) a court decision;
 - c) be other situations in which documentary evidence that the beneficiary of the resources has the prerogative, considering the aspects of legality and economic grounds, to be the recipient of export earnings; (NR)
 - d) (Revoked) Circular no. 3575/2012
 - e) (Revoked) Circular no. 3575/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 11 - Export
SECTION : 2 - Foreign Exchange Contracting

1. The foreign exchange contract may be signed for prompt or future settlement, before or after shipping the goods or providing the services, observed the maximum period of 750 days between contracting and settlement, as well as the following:
 - a) In case of prior contracting of foreign exchange, the maximum period between the foreign exchange contracting and shipping of goods or rendering of services is 360 days;
 - b) The maximum period for foreign exchange contract settlement is up to the last business day of the 12th month subsequent to that of goods shipment or service rendering.
- 1-A. For foreign exchange contracts of exports signed prior to April 5, 2012, in case of judicial recovery, bankruptcy filing by the exporter or other situation documentarily proving the inability of the exporter to ship the merchandise or to provide the service by factors beyond their control, the shipping of the goods or service delivery can occur until April 30, 2014, provided that the period between contracting and settlement of the foreign exchange contract do not exceed 1,500 days. (NR)
2. (Revoked) Circular no. 3589/2012
- 2-A. (Revoked) Circular no. 3589/2012.
3. Foreign exchange operations referring to exports subject to Credit Register (RC) must be performed under the provisions of section 10 - Financed Exports.
4. Foreign exchange contracts for exports on consignment must be classified under code for nature of the operation "10124 – EXPORT – Export on consignment", and any alteration in the nature of the said code is forbidden.
5. (Revoked) Circular no. 3379/2008
6. (Revoked) Circular no. 3401/2008
7. (Revoked) Circular no. 3575/2012
8. (Revoked) Circular no. 3530/2011
9. Financial institutions and the other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market, which have signed export foreign exchange contracts must transmit through electronic mechanism regulated by the Central Bank of Brazil and for exclusive use of the Secretary of the Federal Revenue, by the 15th day of the subsequent month to the corresponding foreign exchange contracts settlements, the following data:
 - a) identification of the foreign currency seller: name and CNPJ of the company or name and CPF of the individual;
 - b) total amount of the settlements by foreign currency and by operation nature, consolidated in a monthly basis;
 - c) total amount of the equivalent value in Brazilian currency of the settlements referred in subparagraph 9.b, consolidated in a monthly basis; and
 - d) name and CNPJ of the institution authorized to operate in the foreign exchange market that has purchased the foreign currency.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 11 - Export
SECTION : 2 - Foreign Exchange Contracting

10. The data mentioned in paragraph 9 includes the settlements of foreign exchange contracts related to shipment of goods and rendering of service performed since March 1, 2007, regarding the data related to the period between March 1, 2007, and April 30, 2009, must be informed to the Central Bank of Brazil by August 31st, 2009.
11. For the simplified foreign exchange operations of export:
- a) the trading of foreign currency with an institution in the Financial System National authorized to operate in the foreign exchange market, the country can occur up to 360 days on or before 360 days after shipment of the goods or services;
 - b) details of the transaction must be recorded in the Foreign Exchange System on the same date Exchange under the procurement code specific nature, even in case receiving in advance, and the system automatically generates exchange event settlement of the transaction for the same day, noted that the contract is not subject to change, cancellation or low. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 3 - (Revoked) Circular no. 3454/2009

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 4 - Advance Receipt

1. (Revoked)
2. (Revoked) Circular no. 3580/2012
- 2-A. To obtain the Financial Operations Registry - ROF for the early reception of long-term export proceeds, which is the receipt of export revenues more than 360 days prior to the date of the departure of the goods or of the rendering of the service, it is necessary the inflow of such resources to Brazil, subject to the procedures contained in title 3, chapter 3, section 2, subsection 2 -A. (NR)
3. Advancing resources to Brazilian exporters for the purpose by way of advance receipt of exports can only be made by the importer or by any other foreign legal entity, including financial institutions. (NR)
4. The payment of interests on the advance receipt value of export must observe the following conditions:
 - a) deadline for paying interests and the principal takes, as the earliest date, the date of disbursement or inflow of resources in the country;
 - b) interests are calculated on the debit balance;
 - c) interest rates are freely agreed between the parties, observing, when applicable, existing legal limits;
 - d) the beneficiary of the interests is the one who made the advance payment of export;
 - e) alternatively, the valued owed as interest may be acquitted by shipping goods abroad
5. With regard to the values brought into the country as advance receipt of export, the following must take place within 360 days:
 - a) shipping the goods or providing the services; or
 - b) conversion, by the exporter, through previous agreement of the payer abroad, in direct capital investment or in cash loan, and registration at the Central Bank of Brazil, under the terms of Law no. 4131, of September 03, 1962, amended by Law no. 4390, of August 29, 1964, and applicable regulations.
- 5-A. The funds inflow mentioned in the previous paragraph may be by international transfers in Brazilian reals, including payment orders in domestic currency from abroad, or through foreign exchange operations contracted for immediate or future settlement, settled before shipping the goods or proving the services.
6. The return to other countries of values brought into the country as advance receipt of export is also allowed, observing the tax regulations applicable to resources not destined to exports.
7. The adoption of the prerogatives described in subparagraph 5.b and in paragraph 6 above implies, for the exporter, the need to present proof of payment of income tax on any interest sent abroad and relative to the sum brought into the country referring to goods that were not shipped or services not provided.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 5 - Agent Fee

1. The payment of agents' fee owed on exports may be made in the following ways:
 - a) in a graphic account:
 - I - the value of the export foreign exchange contract does not include the sum relative to the agents' commission;
 - II - the commercial invoice and the draft comprehend the value of the agent's commission;
 - b) through deduction in a commercial invoice:
 - I - the value of the commercial invoice comprehends the value of the commission;
 - II - the value of the export foreign exchange contract and the draft do not include the value of the agent's commission;
 - c) to be sent:
 - I - the value of the export foreign exchange contract, the commercial invoice and the draft comprehend the value of the commission;
 - II - the payment of the commission takes place by the exporter's signing and settling a foreign exchange contract to perform a financial transfer to another country in favor of the beneficiary of the commission;
 - III - the payment in a different currency from the one indicated in the export register at SISCOMEX is allowed, using the parity that serves as reference for the purchase rates for the currency, available at SISBACEN, transaction PTAX800, option 5, relative to the business day before contracting the foreign exchange operation.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 6 - (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 7 - Cancellation and Write-off of Foreign Exchange Contract (NR)

-
1. Observing the incidence of the financial charges established by Law no. 7738, of March 09, 1989, export foreign exchange contracts in which goods were not shipped or services not provided can be:
 - a) freely cancelled through agreement between the parties; or
 - b) written-off from the exchange positions of the financial institution authorized to operate in the foreign exchange market.
 2. In the regularization of foreign exchange contracts canceled or written-off and related to goods not being shipped or services not being provided, the procedures indicated in section 7 of chapter 3 of this title must be observed in the cases of the exporter's bankruptcy, or intervention or extrajudicial settlement of the bank purchasing the foreign currency.
 3. (Revoked)
 4. In the event of the goods having already been shipped or the services having been provided, the cancellation or write-off of the respective export foreign exchange contract must be effectuated within 360 days from the date of shipping the goods or providing the services.
 5. (Revoked) Circular no. 3454/2009
 6. When payment of the export operation occurs, written-off exchange contract must be reestablished and immediately settled.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 8 - (Revoked) Circular no. 3454/2009

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 11 - Export
SECTION : 9 - (Revoked) Circular no. 3575/2012.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 9 - Simplified Foreign Exchange

SUBSECTION : 1 - (Revoked) Circular no. 3454/2009

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 9 - Simplified Foreign Exchange

SUBSECTION : 2 - (Revoked) Circular no. 3454/2009

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 10 - Financed Exports

SUBSECTION : 1 - General Provisions

1. For the purposes of these Regulations, exports of merchandise or services subject to Credit Registration (RC) in Siscomex are considered as financed exports.
2. Linking is the procedure through which export exchange contracts with already shipped merchandise or services rendered can be substituted - even in the interest rate equalization modality - on the basis of a consensus between the bank and the exporter expressed in a specific contractual clause, with the purpose of initiating a financing operation.
3. The specific exchange procedures related to financed exports are described in this section, as set out in the subsections indicated below:
 - subsection 2: Export Financing Program (Proex) – National Treasury financing modality
 - I - Exchange contracting and settlement
 - II - Linking of exchange contracts with Proex – National Treasury financing modality
 - subsection 3: Export Financing Program (Proex) – interest rate equalization modality
 - I - Financing in foreign currency granted by banks authorized to operate on the exchange market, by a financial or credit institution located abroad or by the CAF – Andean Development Corporation:
 - I.1 - Exchange contracting and settlement
 - I.2 - Linking of exchange contracts with Proex – interest rate equalization modality
 - II- Financing in national currency granted by the Special Industrial Financing Agency (Finame) – BNDES-exim Program
 - II.1 - Contracting and settlement of exchange
 - II.2 - Linking of exchange contracts with the BNDES-exim Program
 - subsection 4: Exporter Capital Resources

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 10 - Financed Exports

SUBSECTION : 2 - Export Financing Program (Proex) – National Treasury Financing Modality

I - Contracting and settlement of exchange

1. Exchange operations consequent upon exports of merchandise or services financed in the framework of the Export Financing Program – Proex in the National Treasury financing modality, are contracted as indicated below:
 - a) value of the initial payment: contracted by the exporter with a bank authorized to operate on the exchange market for immediate settlement through a purchase exchange contract, classified under “65100- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – Proex – Non-Financed Share” or “65117 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – Proex – Non-Financed Share”, depending on the case;
 - b) value of each bill of exchange referring to principal: contracted by the National Treasury Financing Agent with Banco do Brasil S.A. for immediate settlement through a purchase exchange contract up to 30 days after the date indicated on the respective Credit Registration – RC, classified under “65227- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – Proex – Amortization” or “65265 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – Proex – Amortization”, depending on the case;
 - c) value of each bill of exchange referring to interest: contracted by the National Treasury Financing Agent with Banco do Brasil S.A. for immediate settlement through a purchase exchange contract up to 30 days after the date indicated on the respective Credit Registration – RC, classified under “35855 – CAPITAL INCOME – Interest on the Financing of Exports of Goods and Services – Proex – discounting of exchange bills”. (NR)

II - Linking of exchange contracts with Proex – National Treasury financing modality

2. In order to link exchange contracts, the bank must be in possession of the documentation that corroborates normal shipment of the merchandise or rendering of the services, as well as proof of entry into the country of the value of the initial payment of the export, when this case arises.
3. On the business day following the day on which the National Treasury financing agent effects the credit to the “Banking Reserve” account of the bank in question, the bank must:
 - a) credit/debit the difference that may exist between the amount released and the value of principal plus charges on the advance (ACC) that may have been granted, to the exporter's current deposit account;
 - b) alter classification of the operation on the exchange contract to “65227- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – Proex – Amortization” or “65265 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – Proex – Amortization”, depending on the case, as well as the system of delivery of the foreign currency to “75 - Securities and Amounts” or “15 - Letter of Installment Credit”, depending on the case; formalization on paper and the signatures of the bank and the exporter are dispensed with, provided that this be foreseen in a specific contractual clause;
 - c) settle the exchange contract at the value referring to the classifications indicated in line “b” above, based on the exchange bills or letter of credit received from the exporter and delivered to the National Treasury Financing Agent; and

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 10 - Financed Exports

SUBSECTION : 2 - Export Financing Program (Proex) – National Treasury Financing Modality

- d) formalize and settle a sale exchange contract, in which the buyer of the foreign currency is the National Treasury Financing Agent, in the same amount as the contract indicated in line “d” above, under classification "99217 – SPECIAL OPERATIONS – Proex Linking", with the form of delivery of the foreign currency "75 - Securities and Amounts" or "15 - Letter of Installment Credit", depending on the case; formalization on paper and the signatures of the parties are dispensed with. (NR)
- 4. Upon reception of the foreign currency related to each bill of exchange of principal, the National Treasury Financing Agent must sell the amount to Banco do Brasil S.A., for immediate settlement through a purchase exchange contract, classified under "99217 - SPECIAL OPERATIONS - Proex Linking". (NR)
- 5. The exchange operation referring to the inflow of the amount of each installment of interest on the financing must comply with the provision in subparagraph 1c) of this subsection.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 11 - Export
SECTION : 10 - Financed Exports
SUBSECTION : 3 - Export Financing Program (Proex) – Interest Rate Equalization Modality

I - Financing in foreign currency granted by banks authorized to operate on the exchange market in the country, by a financial institution or credit institution located abroad or by the Andean Development Corporation - CAF

I.1 - Contracting and settlement of exchange

1. Exchange operations consequent upon exports of merchandise and services entitled to financing in the Export Financing Program - Proex framework, in the interest rate equalization modality, are contracted for immediate settlement:
 - a) up to 30 days after the date indicated on the respective Credit Registration -- RC, corresponding to the total value of the export operation, through a purchase exchange contract, under the classification "10007 -- Export of Merchandise" or, in the case of services, under classification "DIVERSE SERVICES":
 - "45656 - Implementation or Installation of Technical - Economic Project"
 - "45663 - Implementation or Installation of Industrial Project"
 - "45670 - Implementation or Installation of Engineering Project"
 - "45687 - Specialized Technical Services - Industrial Projects, Designs and Models"
 - "45694 - Specialized Technical Services -Engineering/Architectural Projects, Designs and Models"
 - "45704 - Specialized Technical Services - Equipment Assembly"
 - "48110 - Computer Program Copyrights"
 - b) up to 30 days after the date indicated on the respective Credit Registration - RC, corresponding to part of the value of the export operation, through a purchase exchange contract, under classification "65100- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – Proex – Non-Financed Share" or "65117 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – Proex – Non-Financed Share", depending on the case, in the situations foreseen in subsection 2 of this title. (NR)

I.2 - Linking of exchange contracts with Proex - interest rate equalization modality

2. Export exchange contracts formalized prior to shipment of merchandises or to rendering of services or formalized to anticipate reception of the export can be linked to financing through interest rate equalization modality by its total value.
3. Payment of interest by the exporter related to anticipated reception is restricted to the period between the date of exchange contract settlement and the date of shipment of the merchandise or rendering of the service.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 11 - Export
SECTION : 10 - Financed Exports
SUBSECTION : 3 - Export Financing Program (Proex) – Interest Rate Equalization Modality

II - FINANCING AGENT: SPECIAL INDUSTRIAL FINANCING AGENCY - FINAME - BNDES-EXIM PROGRAM

II.1 - Contracting and settlement of exchange

4. Exchange operations consequent upon exports of merchandise and services financed in the BNDES-exim Program framework are contracted as indicated below:
 - a) value of the initial payment: contracted by the exporter with a bank authorized to operate on the exchange market for immediate settlement through a purchase exchange contract, classified under "65148- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – BNDES-exim – Non-Financed Share" or "65193 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – BNDES-exim – Non-Financed Share";
 - b) value of each bill of exchange referring to principal: contracted by the Special Industrial Financing Agency with a bank authorized to operate on the exchange market in the country, for immediate settlement, through a purchase exchange contract, up to 30 days after the date indicated on the respective RC, classified under "65272- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – BNDES-exim – Amortization" or "65234 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – BNDES-exim – Amortization";
 - c) value of each bill of exchange referring to interest: contracted by Finame with a bank authorized to operate on the exchange market in the country for immediate settlement through a purchase exchange contract up to 30 days after the date indicated on the respective RC, classified under "35879 – CAPITAL INCOME – Interest on the Financing of Exports of Goods and Services – BNDES-exim". (NR)

II.2 - Linking of exchange contracts with BNDES-exim

5. In order to link the exchange contracts, the bank must be in possession of the documentation that corroborates normal shipment of the merchandise or rendering of the services, as well as proof of entry into the country of the value of the initial payment of the export, when this case arises.
6. On the same date of reception of the amount released by FINAME, the bank must:
 - a) credit/debit the difference that may exist between the amount released and the value of principal plus charges of the advance (ACC) that has been granted, to the exporter's current deposit account;
 - b) alter classification of the operation on the exchange contract to "65272- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – BNDES-exim – Amortization" or "65234 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – BNDES-exim – Amortization", depending on the case, as well as the system of delivery of the foreign currency to "75 - Securities and Amounts" or "15 - Letter of Installment Credit", depending on the case; formalization on paper and the signatures of the bank and the exporter are dispensed with, provided that this be foreseen in a specific contractual clause;

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 11 - Export

SECTION : 10 - Financed Exports

SUBSECTION : 3 - Export Financing Program (Proex) – Interest Rate Equalization Modality

- c) settle the exchange contract at the value referring to the classification indicated in line "b" above, based on the exchange bills or letter of credit received from the exporter and delivered to Finame; and
 - d) formalize and settle a sell exchange contract, in which the buyer of the foreign currency is Finame, in the same amount as the contract indicated in line "c" above, under classification "99224 – SPECIAL OPERATIONS – BNDES-exim Linking", with the form of delivery of the foreign currency "75 - Securities and Amounts" or "15 - Letter of Installment Credit", depending on the case; formalization on paper and the signatures of the parties are dispensed with. (NR)
8. Upon reception of the foreign currency related to each bill of exchange of principal, Finame must sell the amount to a bank authorized to operate on the exchange market, for immediate settlement through a purchase exchange contract, classified under "99224 - SPECIAL OPERATIONS - BNDES-exim Linking". (NR)
9. The exchange operation referring to the inflow of the amount of each installment of interest on the financing must comply with the provision in subparagraph 5.c.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 11 - Export
SECTION : 10 - Financed Exports
SUBSECTION : 4 - Exporter's own Capital Resources

1. Export exchange contracts related to operations financed with the exporter's capital resources are formalized by the exporter with a bank authorized to operate on the exchange market, as indicated below:
 - a) value of the initial payment: contracted for immediate settlement through a purchase exchange contract, classified under "65155- LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – exporter's resources – Non-Financed Share" or "65186 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – exporter's resources – Non-Financed Share", depending on the case;
 - b) value of each bill of exchange referring to principal: contracted for immediate settlement, through a purchase exchange contract, up to 30 days after the date indicated on the respective Credit Registration -RC, classified under "65289 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – merchandise – exporter's resources – Amortization" or "65296 - LONG-TERM BRAZILIAN CAPITAL – Financing Abroad for Brazilian Exports – services – exporter's resources – Amortization", depending on the case;
 - c) value of each bill of exchange referring to interest: contracted for immediate settlement through a purchase exchange contract up to 30 days after the date indicated on the respective Credit Registration - RC, classified under "35886 – CAPITAL INCOME – Interest on the Financing of Exports of Goods and Services – exporter's resources". (NR)
2. The other provisions foreseen for exports in general apply to exports financed with the exporter's own capital resources, when such do not conflict with the provisions in this subsection.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 12 - Import

SECTION : 1 - General Provisions

1. This chapter deals with:
 - a) payment of Brazilian imports in up to 360 days;
 - b) the fine as specified in Law no. 10755, of November 03, 2003, provisioned in section 5.
 2. Imports payable in periods of more than 360 days are subject to registration at the Central Bank of Brazil, according to the terms of specific regulations.
 3. Payments of Brazilian imports should be processed according to the data stated:
 - a) in the Import Declaration or equivalent document registered at Siscomex: or
 - b) in the commercial operation documentation, should the Import Declaration or equivalent document registered at Siscomex not yet be available.
 4. For purposes of these regulations:
 - a) Import Declaration - DI issued with planned payment permits transfers abroad of national or foreign currency as payment for imports;
 - b) DI issued without planned payment does not permit transfers abroad as payment for imports.
 5. (Revoked) Circular no. 3401/2008
 6. (Revoked) Circular no. 3401/2008
 7. (Revoked) Circular no. 3401/2008
 8. (Revoked) Circular no. 3401/2008
 9. (Revoked) Circular no. 3401/2008
 10. For purposes of this chapter, the following are considered as legitimate external creditors provided that this is duly corroborated:
 - a) the foreign exporter;
 - b) the foreign financing agent;
 - c) the foreign guarantor;
 - d) the assignee of the credit abroad.
 11. Import payment may be effected in any currency, independently of the currency recorded at the Import Declaration - DI, including when the currency is the Brazilian real, provided that in payments of imports in foreign currencies other than that recorded at the DI, the amounts involved must have a parity correlation among themselves that is compatible with those practiced by the international market.
 12. Anticipated payment of imports registered for payment within 360 days is permitted, with due compliance with the regulations defined by other entities, particularly the Ministry of Development, Industry and Foreign Trade – MDIC.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 12 - Import

SECTION : 1 - General Provisions

13. The arrangement of import simplified foreign exchange is provided in section 4 of this chapter.
 14. Aside from the provisions of this chapter, the provision in chapters 16 and 17 on Countries with Special Exchange Provisions and Reciprocal Payment and Credit Agreements, respectively, must also be observed, to the extent applicable.
 15. Payment of merchandise that has entered the country without registration in Siscomex must be effected according to the terms of chapters 9 and 10.
 16. In respect to operations with use of letters of credit with immediate payment opened for purposes of reimbursement under the terms of the Reciprocal Payment and Credit Agreement, the corresponding exchange operation must be settled on the same date on which occurs the credit negotiation abroad.
 17. Payments of Brazilian imports in national currency, in Brazil, must be effected through international transfers in Brazilian reais to the credit of a current account denominated in national currency, opened and maintained in Brazil according to the terms of current legislation and regulations, in the name of the legitimate creditor.
 18. Amounts in foreign currency corresponding to commissions on Brazilian imports due to agents, representatives, assigns and/or distributors resident in the country can be:
 - a) transferred abroad, for purposes of completing payment of imports;
 - b) retained in the country, in the name of the beneficiaries.
 19. (Revoked) Circular no. 3401/2008
 20. Exchange operations for purposes of paying Brazilian imports, including those involving principal installments of imports financed over periods of up to 360 days, may be formalized for immediate or future settlement, regarding the maximum period between contracting and settlement of the foreign exchange operation is 360 days.
 21. Payments up to US\$50,000.00 (fifty thousand United States dollars) or its equivalent value in other currencies can also be effected through utilization of an international credit card issued in Brazil or through international postal payments, duly complying with the provisions in chapter 10, as applicable.
 22. For contracts of import simplified exchange:
 - a) data exchange transaction should be recorded on the date of signing of Exchange under the code-specific nature, even in case of advance receipt, being that the Foreign Exchange System automatically generates the event of liquidation of operation by the second day of the exchange contract, subject to contract is not likely to change, cancellation or low;
 - b) in foreign exchange transactions conducted by an intermediary or representative must be observed that the intermediary or representative must be in possession of proxy each of these importers to perform exchange operations and may be performed single operation, since it is attached to the dossier regarding the operation containing the name of each of the importers, indicating their CPFs and value of individual shipments. (NR)
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 12 - Import

SECTION : 2 - (Revoked) Circular no. 3454/2009

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 12 - Import

SECTION : 3 - Prepayment and Payment on Demand

1. It is considered anticipated payment of imports that effected with up to 180 days prior to date foreseen to:
 - a) the shipment, in cases of merchandise imported definitively and directly from abroad, including operations under the drawbacks system, or when targeted to the Manaus Free Zone, a Free-Trade Area or an Industrial Depot;
 - b) nationalization, in the case of merchandise permitted under another special or atypical customs system.
2. In the exclusive case of machines and equipment with long production cycles or which are manufactured on an order basis, the period of anticipation must be compatible with the production or marketing cycle of the good in question, in which case the contractually agreed upon conditions will prevail including those referring to down payment and intermediate installments, duly noting that the maximum period of anticipation directly with the banking network for imports of this type is 1,080 days in relation to the dates indicated in lines "a" and "b" of the previous paragraph.
3. Should shipment or nationalization of the merchandise not occur up to the date notified at the time of settlement of the exchange contract, the importer must, within a period of up to 30 days, see to it that the amounts corresponding to the payments effected are repatriated.
4. (Revoked)
5. Payment on demand is that effected prior to customs clearance of the merchandise or its admission to an industrial depot, in cases involving merchandise imported definitively and directly from abroad, including operations under the drawback system or targeted to the Manaus Free Port or a Free Trade Area or an Industrial Depot:
 - a) based on the shipment documents of the merchandise remitted directly to the importer or sent through a bank for purposes of charging, with instructions as to release against payment; or
 - b) as a consequence of negotiation abroad of letters of credit issued for payment against presentation of the shipment documents.
6. (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 12 - Import

SECTION : 4 - (Revoked) Circular no. 3575/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 12 - Import
SECTION : 5 - Fines on Import Operations

1. The fine specified in Law no. 10755, of November 03, 2003, not applies to imports:
 - a) which maturity occurs as of August 04, 2006; or
 - b) that up to August 04, 2006, as foreseen in article 1.II of the Law no. 10755, of 2003, the final limit to settlement of the import foreign exchange contract has not elapsed.
2. Except to provided in paragraph 1, the importer is subject to payment of a fine to be deposited at the Central Bank of Brazil, in cases involving:
 - a) contracting of the exchange operation outside of the time periods established in paragraphs 5 and 7;
 - b) payment of imports in Brazilian real when the DI registered at Siscomex up to December 10, 2004 has been licensed for payment in foreign currency;
 - c) payment with arrears involving imports licensed for payment in Brazilian real;
 - d) payment of the imports not effected in up to 180 days as of the first day of the month subsequent to that foreseen for payment of the import operation, as specified on the DI or for the DIs registered as of November 04, 2003, in the Financial Operations Registry - ROF, depending on the case in question.
3. Payment of imports provided in paragraph 2 must be effected through liquidation of the exchange contract linked to the DI or to the ROF, depending on the case in question; or through credit to a national currency account in the name of the legitimate creditor domiciled abroad and maintained in Brazil in a bank authorized to operate on the exchange market, in which case registration of the operation of that account in Sisbacen must be linked to the DI or to the ROF, depending on the case in question.
4. The fine cited in this section is:
 - a) 0.5% of the equivalent in Brazilian real of the value of the imports in relation to which the arrears has occurred, payment has not been effected or payment has been effected outside of the established time periods and conditions determined in this section;
 - b) calculated by utilizing the rate of exchange at closing as announced by transaction PTAX800 on the day on which the fine is calculated;
 - c) calculated:
 - I. on the date of the exchange contracting or payment in Brazilian real, depending on the case in question, for the irregularities covered in lines "a", "b" and "c" of paragraph 2;
 - II. on the 181st day as of the first day of the month subsequent to that foreseen for payment of the imports, in the case of the irregularity stated in line "d" of paragraph 2.
5. The time periods determined by the Central Bank of Brazil for exchange contracting are as follows:
 - a) Import Declaration registered up to March 17, 1999: for future settlement, observing the following criteria of anticipation:
 - I. prior to the date of registration of the corresponding DI, in imports subject to payment

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 12 - Import
SECTION : 5 - Fines on Import Operations

- up to the final day of the fifth month subsequent to the month of registration of the DI;
- II. up to the final day of the sixth month prior to the month foreseen for payment on the DI, in all other cases;
- b) Import Declarations registered between March 18, 1999 and October 29, 1999:
- I. for future settlement, prior to the date of registration of the corresponding DI, in the case of imports subject to payment up to the final day of the second month subsequent to the month of registration of the DI;
- II. up to the final day of the month of maturity of the obligation as indicated on the Import Declaration, in all other cases.
6. With regard to indents a.I, a.II and b.I of the previous paragraph, there is no requirement for prior contracting of exchange, provided that the following conditions are cumulatively observed:
- I. that they involve imports in values of less than US\$40,000.00 (forty thousand United States dollars) or the equivalent amount in other currencies for DIs registered up to February 28, 1999, or US\$80,000.00 (eighty thousand United States dollars) or the equivalent amount in other currencies for DIs registered as of March 01, 1999; and
- II. that the country of origin of the merchandise be a member country of Mercosul, Bolivia or Chile, and a signatory country of the ALADI Dispute Resolution Mechanism; and
- III. that the exchange operations be settled up to the final day of the second month subsequent to the month of registration of the DI and, in cases of payment instruments that may be processed under the Reciprocal Payments and Credit Agreement, that such be effected under the terms of the System.
7. The provisions indicated below are applicable to imports financed over periods of more than 360 days subject to registration at the Central Bank of Brazil, when such involve installments with maturities that have occurred up to the final day of the 11th month subsequent to the month of registration of the corresponding DI, which has been duly registered:
- a) up to March 17, 1999:
- I. exchange operations for purposes of payment of installments with maturity up to the final day of the fifth month subsequent to the month of registration of the DI must have been formalized for future settlement prior to the date of registration of the DI;
- II. in all other cases, the corresponding exchange operations must have been formalized up to the final day of the sixth month prior to the month foreseen for payment in the payment schedule of the ROF;
- b) between March 18, 1999 and October 29, 1999:
- I. the exchange operations for purposes of payment of installments with maturity up to the final day of the second month subsequent to the month of registration of the DI must have been formalized for future settlement prior to the date of registration of the DI;
- II. in all other cases, the corresponding exchange operations must have been formalized up to the maturity of the obligation, as foreseen in the payment schedule of the ROF.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 12 - Import
SECTION : 5 - Fines on Import Operations

8. With respect to the previous paragraph, payments in Brazilian real of financing registered for settlement in foreign currency and payments in arrears of financing installments registered in Brazilian real are also subject to fine, observing that the fine dealt with in this section does not apply to operations formalized under the terms of Certificates of Registration or Financial Operations Registrations approved up to May 01, 1997.
9. In those cases in which the DI specifies installment payments, the provisions of this section must be observed in relation to each one of the specified installments.
10. The party responsible for deposit of the fine dealt with in this section is:
 - a) the foreign currency seller bank, for imports paid in foreign currency;
 - b) the bank in which national currency has been credited as payment for the imports, in cases involving imports paid in national currency;
 - c) the importer, in all other situations, noting that should the import operation be carried out on the account of and at the orders of a third-party, the party acquiring the merchandise as indicated on the Import Declaration (DI) registered in Siscomex as of November 04, 2003, is jointly and severally responsible for payment of the fine.
11. In the hypotheses foreseen in lines "a" and "b" of the previous paragraph, the bank is notified of the value of the fine through the Central Bank Entry System (SLB) or by another means that guarantees reception of the notification, in which case the bank has a period of five business days as of the date on which notification is received to effect payment of the fine.
12. Should payment of the import not occur according to the terms of the regulations, the fine is charged to the importer and to the acquirer of the merchandise, should such exist, as cited in line "c" of paragraph 10, through an administrative process according to the terms of current legislation and regulations; alternatively, the fine may be deposited at the initiative of the institution itself without the necessity of warning or notification, up to the second business day subsequent to the date on which the fine becomes payable, duly complying with the instructions for receiving of fines and other values due to Central Bank of Brazil for natural and juristic persons that do not have a reserve account with Central Bank.
13. The fine will not be applied in the following situations:
 - a) payment of the merchandise shipped abroad up to and including March 31, 1997:
 - b) payment of imports of petroleum and its derivatives, classified under the following paragraphs of the Common Mercosul Nomenclature – NCM:
 - 2709.00 - Petroleum crude oils and bituminous minerals
 - 2710.11.4 - Naphtha
 - 2710.11.5 - Gasoline
 - 2710.19.1 - Kerosene
 - 2710.19.21 - Diesel Oil
 - 2710.19.22 - Fuel Oil
 - 2710.19.31 - Lubricating Oils without Additives
 - 2711.11.00 - Natural Gas
 - 2711.12 - Propane
 - 2711.13.00 - Butanes
 - 2711.19.10 - Liquefied Petroleum Gas (LPG)
 - 2711.21.00 - Natural Gas
 - 2711.29.10 - Butanes

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 12 - Import

SECTION : 5 - Fines on Import Operations

- c) payments of imports effected under the drawback system and other systems introduced by the State Minister of Finance;
- d) imports in which the balance for payment is less than US\$10,000.00 (ten thousand United States dollars) or its equivalent in other currencies;
- e) payments of imports of basic foodstuff products, with the objective of meeting situational supply necessities, as defined by the State Minister of Finance;
- f) imports, independently of whether they are or are not financed, in which payment is the responsibility of the federal government, states, municipalities, and Federal District, their foundations and semi-autonomous agencies, including imports effected on a date prior to publication of Law no. 10755, of November 03, 2003;
- g) amounts of fines calculated according to the terms of this section in amounts of less than R\$ 1,000.00 (one thousand Brazilian reals).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 13 - Accounts of Individuals Domiciled Abroad in Domestic Currency and International Transfers in Reals

SECTION : 1 - General Provisions

1. Individual persons or corporate entities, resident, domiciled or headquartered abroad may be the holders of deposit accounts in national currency in the country, exclusively in bank branches that operate in foreign exchange belonging to banking institutions authorized to operate on the exchange market, duly complying with the provisions set down in this chapter.
2. The accounts of those residents, domiciled or headquartered abroad must contain characteristics that differentiate them from other deposit accounts, in such a way as to make it possible to identify them immediately.
3. Registration of deposit accounts in national currency in the country in the Central Bank Information System (Sisbacen) in the name of individual persons or corporate entities resident, domiciled or headquartered abroad is obligatory, through transaction PCAM260, option 1, and such registration should be effected by the depositary bank.
4. The registration referred to in the previous paragraph must be effected simultaneously with opening of the account.
5. For purposes of the registration of the deposits dealt with in this chapter, title "4.1.1.60.00-2 - DEPOSITS OF THOSE DOMICILED ABROAD" is maintained in the Accounting Plan of National Financial System Institutions (COSIF), together with its subtitles and the following nomenclature:
 - a) 4.1.1.60.10-5 - "Originating in Exchange Sales";
 - b) 4.1.1.60.20-8 - "Other Origins"; and
 - c) 4.1.1.60.30-1 - "Financial Institutions".
6. Under the subtitle "Originating in Exchange Sales", operations involving credits may result exclusively from the effective inflow of foreign currency to the country through settlement of exchange operations with the depositary bank of the account, in which case the number of the corresponding exchange operation must be stated in the information regarding the accounting operation.
7. Possible new deposits of resources in Brazilian real originally generated by withdrawals or transfers effected as debits to the cited subtitle must be recorded as credits under the subtitle "Other Origins".
8. The subtitle "Financial Institutions" is restricted to the accounting records of accounts in the name of banks abroad that maintain correspondent relations with the Brazilian depositary bank of the resources, when this relationship is exercised habitually, significantly and reciprocally or when the institutions have an unmistakable relationship between them as a consequence of capital control covering the controlled and controlling institutions, as well as those under common and directly exercised control.
9. The provisions of the previous paragraph also encompass Brazilian bank branches located abroad and the branches of foreign banks authorized to operate in the country.
- 9-A. The financial institutions, with reference to the transborder relations among correspondent banks and the other similar relations, must:
 - a) obtain sufficient information about the correspondent institution in a way as to fully understand the nature of its activity and to know, based on publicly available information, the reputation of the institution and the quality of its supervision, including whether the

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 13 - Accounts of Individuals Domiciled Abroad in Domestic Currency and International Transfers in Reals

SECTION : 1 - General Provisions

institution has been the target of investigation or of any action of a supervisory authority, related to money laundering or with terrorism financing and ensure that the institution:

- I. has no physical presence in the country where it is incorporated and licensed, and
 - II. is not affiliated with any financial services group that is the subject of effective supervision.
- b) assess controls adopted by the correspondent institution targeting money laundering combat and terrorism financing;
 - c) obtain approval from the director responsible for the operations related to the foreign exchange market before establishing new correspondence relations;
 - d) document the respective responsibilities of each institution in respect to money laundering combat and terrorism financing. (NR)
10. Financial institutions not classified within the provisions in paragraphs 8 and 9 may only be holders of accounts with the subtitles "Originating in Exchange Sales" or "Other Origins".
 11. The same criteria, provisions and requirements established for exchange operations in general and the guidelines specifically set out in this chapter must be observed in international transfers in Brazilian reals, insofar as such are applicable.
 12. International transfers in national currency from and to abroad in amounts equal to or greater than R\$ 10,000.00 (ten thousand Brazilian reals) are subject to documentary corroboration to be provided to the bank in which the account of the person domiciled abroad is located.
 13. With regard to the documents used in support of international transfers in Brazilian reals, depositary banks must adopt all of the necessary prudential procedures required to avoid their reutilization and consequent duplicity of effects, both for new transfers in national currency as well as for access to the exchange market, and must require presentation of evidence of payment-in-full of the taxes levied on the operation.
 14. The balances of the capital resources existent in the accounts of individual persons or corporate entities resident, domiciled or headquartered abroad may be freely converted into foreign currency for purposes of remittance abroad, independently of the subtitle, while utilization of such for purposes of conversion of third-party resources into foreign currency is prohibited.
 15. Exchange operations related to inflows and return abroad of resources recorded at the accounts dealt with in this chapter are reserved to the depositary banking institution authorized to operate on the exchange market, and must be classified as follows:
 - a) should the remitting party or the beneficiary abroad not be the holder of the account: under the specific nature code corresponding to the type of operation negotiated;
 - b) should the remitting party or the beneficiary abroad be the holder of the account: under nature code "63009 - Short-Term Foreign Capital - Availability in the Country".
 16. Utilization of the accounts of parties resident, domiciled or headquartered abroad held by financial institutions abroad as dealt with in paragraphs 8 and 9 for purposes of international transfers in Brazilian reals in the interest of third parties is forbidden, except the situation described in section 3 of this chapter.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 13 - Accounts of Individuals Domiciled Abroad in Domestic Currency and International Transfers in Reals

SECTION : 1 - General Provisions

17. Utilization of the accounts of individual persons or corporate entities resident, domiciled or headquartered abroad for purposes of international transfers in the interest of third parties is forbidden.
18. In transfers supported by registrations, authorizations or certificates issued by the Central Bank of Brazil, the number of the respective document or registry must be entered in the space "Other Specifications" on the Sisbacen record screen.
19. (Revoked) Circular no. 3493/2010
20. (Revoked) Circular no. 3493/2010
21. (Revoked) Circular no. 3493/2010
22. (Revoked) Circular no. 3493/2010

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 13 - Accounts of Individuals Domiciled Abroad in Domestic Currency and International Transfers in Reals

SECTION : 2 - Transactions

1. For the purposes and effects of this chapter:
 - a) debits effected by the depositary bank in accounts in the name of individual persons or corporate entities resident, domiciled or headquartered abroad, are characterized as inflows of resources to the country, except in cases involving direct operations between two accounts of this nature code;
 - b) credits effected by the depositary bank in accounts in the name of individual persons or corporate entities resident, domiciled or headquartered abroad are characterized as outflows of resources from the country, except when the resources originate in sales of foreign currency or directly from another account of this type.
2. The depositary bank of the resources must record in Sisbacen the data related to all international transfers in Brazilian reals in amounts equal to or greater than R\$ 10,000.00 (ten thousand Brazilian reals), transaction PCAM260, option 2, on the same day on which the transfers are made.
3. The recordings dealt with in the previous paragraph also encompass:
 - a) debits and credits made as counterparts to the settlement of exchange operations in amounts equal to or greater than R\$ 10,000.00 (ten thousand Brazilian reals), classified under nature code "63009";
 - b) direct movements of resources between the accounts of parties resident, domiciled or headquartered abroad (nature code 63102) in amounts equal to or greater than R\$ 10,000.00 (ten thousand Brazilian reals), even though these are not characterized as international transfers in national currency;
 - c) movements carried out as counterparts to exchange operations not classified as funding available in the country.
4. Operations for purposes of credit to the accounts treated in this chapter must be effected through:
 - a) debit against the account maintained by the payee in the depositary bank itself;
 - b) reception of a nominal check issued by the payee, crossed, to the depositary bank or to the account holder, with the destination of the resources and nature code of the transferor being specified on the back of that instrument; or
 - c) Transferência Eletrônica Disponível (Available Electronic Transfer) - TED, issued by another financial institution in its own name in the case of its own interest operation or in the name of the payee, regarding that, in any case, the transfer nature code must be informed in the box *histórico* (background).
5. Debits to the accounts dealt with in this chapter must be made exclusively for purposes of credit to the account held by the beneficiary in the country, through:
 - a) TED, credit document (DOC) or any fund transfer order issued by the depositary bank in the name of the holder of the account, with the nature code of the transfer being stated in the space *histórico* in the case of the TED; or
 - b) cashiers check or a nominal, crossed check issued by the holder of the account, in the case of demand deposits, on which the destination of the resources and the nature code

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 13 - Accounts of Individuals Domiciled Abroad in Domestic Currency and International Transfers in Reals

SECTION : 2 - Transactions

of the transfer are specified on the back of the instrument.

6. Movement of amounts of less than R\$ 10,000.00 (ten thousand Brazilian reals) may be made through utilization of any payment instrument utilized on financial markets, including cash.
7. In accounts in the names of embassies, consular offices or representative offices of international organizations accredited by the Brazilian government, operations of any amount may be carried out in cash or through utilization of any payment instrument utilized on the financial market.
8. Debits and credits against accounts in the names of embassies, consular offices or representative offices of international organizations accredited by the Brazilian government are dispensed from documentary corroboration and declarations of the reasons for the transfer, these operations being classified as "Foreign government income and expenses" or "Income and spending of international entities", according to the case in question.
9. The provision in paragraphs 7 and 8 above do not apply to movement of resources in the private accounts of employees of those entities.
10. In operations in amounts equal to or greater than R\$ 10,000.00 (ten thousand Brazilian reals), identification of the origin and destination of the resources, the nature code of the payments and the identity of the depositors of the amounts in these accounts, as well as the beneficiaries of the transfers effected is obligatory, with such information being stated in the dossier of the operation.
11. The checks utilized to operate the accounts dealt with in this chapter must contain information that makes it possible to specify the identification stipulated in the previous paragraph on the back of such instruments.
12. Having received instructions to operate an account of an individual or corporate entity resident, domiciled or headquartered abroad without meeting the requirements contained in this chapter, the bank will not perform the operation, and is obligated to adopt the regulatory procedures aimed at rejecting or returning the payment instrument, characterizing such as an international transfer in Brazilian reals.
13. In cases of operations in accounts dealt with in this chapter involving investments and redemptions on financial markets by the holder of the account, for which there does not exist a specific nature code, the operation must be classified under nature code 63102, noting that, in any case, the destination or origin of the resources must be declared in the space "Other Specifications" of the Sisbacen record screen.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 13 - Accounts of Individuals Domiciled Abroad in Domestic Currency and International Transfers in Reals

SECTION : 3 - Fulfillment of Payment Orders in Domestic Currency (NR)

-
1. It is allowed the use of foreign bank accounts dealt with in paragraphs 8 and 9 of section 1 to conduct international transfer in Brazilian reals in the interest of third parties with the purpose of fulfilling payment orders in Brazilian reals from abroad by institution authorized to operate in the foreign exchange market.
 2. The fulfillment of payment orders in the interest of third parties by means of international transfer in Brazilian reals, in amounts of less than R\$ 10,000.00 (ten thousand Brazilian reals), with debit against foreign bank accounts, obliges the bank depository of the debited account to transmit file to Central Bank of Brazil, by the 10th day of each month, with the following data regarding the transfers effected in the previous month:
 - a) name and CNPJ of the foreign bank holding the account;
 - b) identification of the beneficiary in Brazil (name and CNPJ/CPF number, or, in case of foreigners, name and passport number or any other document foreseen in the regulation which supported his entry in Brazil);
 - c) the value transferred;
 - d) the country and the sender abroad;
 - e) indication whether the debt refers to a current transfer, a service or other transfers.
 3. Regarding the file mentioned in paragraph 2, it must be observed that:
 - a) file transmission is effected through application PSTAW10, following the instructions contained on the site www.bcb.gov.br / menu Sisbacen / Transferência de arquivos;
 - b) instructions on how to prepare the file for transmission to the Central Bank will be available at Central Bank site "www.bcb.gov.br / menu câmbio e capitais estrangeiros / Sistemas / Transferências de arquivos;
 - c) the monthly file transmission, by the 10th day of each month, by banks depositories of accounts held by foreign banks, dealt with in paragraph 8 and 9 of section 1, is mandatory, even when no occurrences has taken place in the previous month.
 4. For the fulfillment of payment order in the interest of third parties by means of international transfer in Brazilian reals, in amounts equal or greater than R\$ 10,000.00 (ten thousand Brazilian reals) with debit against foreign bank account, one must use specific group code and shall be complied with existing procedures on the financial transactions in the accounts addressed in this chapter.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 1 - General Provisions

1. According to the terms of current legislation and regulations, the following may be holders of foreign currency accounts in the country, duly observing the provisions of this title:
 - a) tourism agencies and providers of tourism services;
 - b) embassies, foreign diplomatic offices and international organizations;
 - c) The Brazilian Post and Telegraph Company, ECT;
 - d) international credit card administration companies;
 - e) companies charged with implementing and developing energy sector projects;
 - f) foreigners temporarily in the country and Brazilians, resident or domiciled abroad;
 - g) insurance, reinsurance and reinsurance brokerage companies;
 - h) transportation companies resident, domiciled or headquartered abroad;
 - i) agents authorized to operate on the exchange market;
 - j) (Revoked)
 - k) subsidiaries and branches, abroad, of Brazilian financial institutions.
2. Such foreign currency accounts must be maintained exclusively in banks authorized to operate on the exchange market.
3. With the exception of what is contained in section 8 of this chapter, the resources maintained in the accounts dealt with under this title may be freely invested on the international market.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 2 - Tourism Agencies and Suppliers of Tourism Services Restricted Operation Accounts

1. Tourism agencies and providers of tourism services that operate with outgoing and incoming tourism may maintain foreign currency accounts that can be operated on a restricted basis in banks authorized to operate on the exchange market in the country, independently of whether the agency is or is not authorized to operate on the exchange market.
2. Deposits in such accounts may occur on the basis of foreign currency resources acquired on the exchange market for purposes of payment of commitments related to outgoing tourism or resources in foreign currency originating abroad or received from non-residents transiting through the country for settlement of commitments related to incoming tourism.
3. Debits in such accounts may occur through remittances abroad of payments for tourism services rendered or credit to the foreign currency account in the country by other providers of tourism services acting as outgoing tourism operators or, furthermore, for conversion into national currency for purposes of payment of services related to incoming tourism.
4. In cases of total or partial cancellation of services related to incoming tourism, the resources maintained in the account may be returned abroad through presentation to the depositary bank of a credit notification or equivalent document issued by the party contracting the service abroad at the time of payment.
5. Reception of foreign currency in the country is prohibited when it originates in the cited account or its conversion into national currency, except in the situation foreseen in paragraph 3 or when total or partial cancellation of the tourist service occurs, in which case the depositary bank must require corroborating documentation of that situation.
6. Banks may receive transfers for investments in time deposits or prior notification deposits, with earnings negotiated among the parties, as debits to the foreign currency accounts foreseen in this section.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 3 - Embassies, Foreign Legations, and International Organizations

1. Foreign currency accounts opened on the basis of article 26 of Decree 42820, of December 16, 1957, in the name of embassies, foreign diplomatic offices and international organizations recognized by the Brazilian government are operated exclusively with foreign currency resources, in which case negative balances are prohibited, regarding authorized banks may:
 - a) accept checks issued against them, received for charging purposes;
 - b) accept requests from their respective holders of such accounts in order to:
 - I - issue payment orders in foreign currency for use abroad;
 - II - effect payments in foreign currency, exclusively to members of the embassy, foreign diplomatic office or international organization that is the holder of the account;
 - III - effect payments in the country in Brazilian real through contracting of exchange, according to the terms of the regulations currently in effect.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 4 - Empresa Brasileira de Correios e Telégrafos - ECT, the Brazilian Post and Telegraph Company

1. Operation of the account held by the ECT is restricted and should observe the following:
 - a) it may only be opened and operated with foreign currency originating in purchases made by the ECT on the exchange market or financial transfers in the benefit of the ECT received from abroad;
 - b) the amounts held in the account are reserved exclusively for effecting payments due to the international postal administrations as a result of utilization of the system of international postal payments and postal reimbursements;
 - c) the account must be maintained in a single bank authorized to operate on the exchange market;
 - d) the balance in the account must be restricted to the level necessary to cover payments under this system;
 - e) reception of foreign currency in the country is prohibited.
2. The ECT must maintain monthly records related to its exchange operations on file for a period of five years for presentation to the Central Bank at the request of the latter, containing the following overall information broken down by postal administrator:
 - a) the volume of foreign currency purchases and/or sales carried out on the exchange market;
 - b) the total amounts related to postal payments and reimbursements issued and received by the ECT, by type of commitment and stating the corresponding outlays;
 - c) balance in foreign currency recorded at the account on the final business day of the month under consideration.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 5 - International Credit Card Management Companies

1. The accounts in foreign currency in the name of international credit card administration companies are subject to restrictions and must observe the following provisions:
 - a) such accounts may only be opened and operated with foreign currency resources or resources originating in purchases in authorized banks in the amounts corresponding to the amounts received from the holders of international credit cards;
 - b) the amounts maintained in the account are reserved exclusively to the effecting of payments due to international credit card companies for utilization of Brazilian credit cards abroad and in free shops in the country;
 - c) reception of foreign currency by the holder of the account or its conversion into national currency is prohibited.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 6 - Companies in Charge of Implementing and Developing Energy Sector Projects

1. This section deals with the opening and operation of foreign currency accounts in the name of companies responsible for implementation and development of projects in the country related to petroleum and natural gas prospecting, production, exploration, processing and transformation, as well as electricity generation and transmission.
 2. Operation of the foreign currency accounts dealt with in this section is restricted, as indicated below:
 - a) such accounts may only receive foreign currency resources in deposits in amounts equivalent to the Brazilian reais received as a result of the activities stated in paragraph 1 of this section and reserved for settlement of commitments and obligations abroad, as foreseen in the rules set down by the Central Bank of Brazil;
 - b) with the exception of the hypothesis stated in paragraph 11 of this section, withdrawals against the accounts may only be made for purposes of remittance abroad as payment of liabilities included in the projects, independently of whether they are or are not backed by Registration Certificates issued by the Central Bank of Brazil, duly complying with the terms of current exchange legislation;
 - c) the resources existent in such accounts may be freely invested on the international market at the exclusive discretion of the holder of the account, noting that:
 - I - in the hypothesis of losses in such investments, replenishment of the balance through new acquisitions of foreign currency, utilizing internal revenues in Brazilian real not generated by project activities, is prohibited;
 - II - in the hypothesis of gains in such investments, the corresponding earnings are included in the balance of principal, in which case the respective inflow into the country through exchange contracting is dispensed with, provided that the earnings be reserved to meeting commitments abroad related to the project.
 3. The account statements and financial statements indicating the amounts that may be remitted abroad must be maintained on file for a period of five years as of the end of the fiscal year, in which the operation occurred, for purposes of presentation to the Central Bank of Brazil, at the request of the latter.
 4. For the opening of the accounts dealt with in this section, the companies must have delegation (concession, authorization or permission) of the National Electric Energy Agency - ANEEL or the National Petroleum Agency - ANP or, furthermore, of the state entity responsible for delegation, when this case arises.
 5. The loss of delegation as dealt with in the previous paragraph implies loss of the right to maintain the foreign currency account, in which case measures are to be taken to close that account and convert any existing balance into Brazilian real within five business days through an exchange operation in the manner set down in current regulations.
 6. Just one foreign currency account is permitted per company and per project, and maintenance or financing of negative balances is prohibited, even if such balances are only occasional.
 7. The foreign currency account dealt with in this section may only be opened and operated by the company that is cumulatively responsible for projects in which implementation and development were initiated as of September 10, 1999 as well as in which those resources reserved to implementation and development of such projects began as of September 10, 1999 and have been duly registered with the Central Bank of Brazil.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 6 - Companies in Charge of Implementing and Developing Energy Sector Projects

8. In the case of delegation to a business consortium, all of the participating companies may be holders of foreign currency accounts provided that they earn revenues consequent upon the activities specified in paragraph 1 of this section.
9. The company constituted with the specific objective of managing the consortium may also be the holder of a foreign currency account, which may receive resources exclusively from the participating companies to be utilized to honor commitments abroad related to the project.
10. In the case in which the lead company is not constituted with the specific objective of managing the consortium, but is an active participant in project execution, that company may be the holder of a second foreign currency account which can be utilized to receive deposits restricted exclusively to the resources of the companies participating in the consortium to be used to honor commitments abroad related to the project.
11. The deposits dealt with in paragraphs 9 and 10 above are effected exclusively in foreign currency through bank transfers, in which case exchange contracting is dispensed with when the transfers occur among the accounts cited in this section.
12. Prior to opening the account, the party interested in opening and operating the foreign currency account must submit correspondence indicating the authorized bank where the account will be maintained, together with documentation corroborating the delegation dealt with in paragraph 4, to the Central Bank of Brazil/ Department of Financial System Monitoring and Information Management - Desig.
13. In the hypothesis of delegation prior to September 10, 1999, in order to verify the provision in paragraph 7 of this section, the interested party must also submit to Central Bank of Brazil/Desig, a declaration from the National Electric Energy Agency – ANEEL or the National Petroleum Agency - ANP or, furthermore, from the state entity responsible for such delegation, in the sense that project implementation and development have occurred as of the date cited.
14. The authorized bank must comply with the following procedures for the opening and operation of the foreign currency account:
 - a) the interested party must submit a statement of position from the Central Bank of Brazil/ Desig that the company is covered by the provisions in Resolution no. 2644, of 1999;
 - b) the exchange operation carried out to obtain the foreign currency for deposit in the foreign currency account must be classified as to its nature under "55567 - SHORT-TERM BRAZILIAN CAPITAL - Deposits in Foreign Currency account in the country";
 - c) for purposes of settlement of commitments and liabilities abroad, the holder of the account must take steps to see to the simultaneous formalization of purchase exchange contracts, classified as to nature under "55567 - SHORT-TERM BRAZILIAN CAPITAL - Deposits in Foreign Currency account in the country", as well as sale classified under the nature corresponding to the commitment or liability abroad, depending on the case in question;
 - d) the exchange operations dealt with in this paragraph are contracted for immediate settlement.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 7 - Foreign Individuals Temporarily in Brazil and Brazilians Resident Abroad

1. Foreigners temporarily in the country and Brazilians resident abroad may maintain only one account per currency in a single bank, per locality.
2. Such accounts are operated through orders or checks, noting that:
 - a) such accounts may only be opened and replenished by bank transfer from abroad;
 - b) negative balances are prohibited.
3. The depositary banks may accept checks issued against such accounts and received in charging operations from bankers abroad or from banks in the country authorized to operate on the exchange market.
4. The banks may also accept requests from the account holders to:
 - a) withdraw or issue payment orders in foreign currency abroad;
 - b) effect payments of commitments in the country in national currency;
 - c) convert national currency.
5. In the hypotheses of lines “b” and “c” of the previous paragraph, the pertinent operations must always be preceded by the corresponding purchase of foreign currency by the bank authorized to operate on the exchange market.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 8 - Insurance Societies, Reinsurance Societies and Reinsurance Brokers

1. The opening and maintenance of foreign currency accounts in a bank authorized to operate on the foreign exchange market by insurance companies, including export credit insurance companies, local reinsurers, admitted reinsurers and reinsurance brokers are permitted, observed the regulation of the National Private Insurance Council (CNSP).
 2. Operation of a foreign currency account in the name of any insurance company, local reinsurer or admitted a reinsurer is restricted to:
 - a) reception and payment of premiums, indemnities, recoveries of credits and other amounts foreseen in the insurance, reinsurance, retrocession and co-insurance contracts formalized in foreign currency;
 - b) earnings on investment of existing balances, observed the regulation on investment of the guarantee resources;
 - c) reception of deposits for purposes of maintaining the minimum account balance, as established by CNSP in the case of admitted reinsurer, observed that the withdrawal of the resources destined to maintain the minimum balance will be permitted only after the Private Insurance Administration (Susep) has release the linkage.
 3. (Revoked) Circular no. 3376/2008
 4. Investment of the resources reserved to guarantee the technical provisions linked to foreign currency operations of insurance companies and local reinsurers and investment of the resources required to guarantee the obligations of an admitted reinsurer in the country are subject to specific regulation.
 5. (Revoked) Circular no. 3376/2008
 6. (Revoked) Circular no. 3376/2008
 7. (Revoked) Circular no. 3376/2008
 8. Operation of a foreign currency account by a reinsurance broker is restricted to the transit of amounts referring to premiums, indemnities and other amounts foreseen in reinsurance contracts formalized in foreign currency, observed that the amounts in foreign currency relative to the remuneration of the reinsurance broker must be immediately converted into reals by means of contracting and settlement of a foreign exchange operation.
 - 8-A. Resources registered in the foreign currency accounts as dealt with in this section may be freely converted to reals, by means of contracting and settlement of foreign exchange operations, under the regulation in effect, except for the amounts relative to the investment of the resources reserved to guarantee the technical provisions which conversion to reals is prohibited.
 - 8-B. Contraction of foreign exchange operation for transfers between accounts as dealt with in this section is not required.
 9. (Revoked) Circular no. 3376/2008
 10. Financing and maintenance of negative balances in the account as dealt with in this section are prohibited.
 11. (Revoked) Circular no. 3376/2008
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 8 - Insurance Societies, Reinsurance Societies and Reinsurance Brokers

12. Loss of accreditation by Susep implies loss of the right to maintain a foreign currency account, and the obligation to take measures to close such an account and to convert any balance that may exist into Brazilian real within five business days, through an exchange operation as determined by the regulations in effect.
13. (Revoked) Circular no. 3376/2008
14. (Revoked) Circular no. 3493/2010
15. (Revoked) Circular no. 3493/2010
16. For purposes of payment, in the country, of indemnities referring to insurance contracted in the country in foreign currency, the insurance company must issue payment order in foreign currency directly to the beneficiary, which will formalize and/or settle the foreign exchange contract:
 - a) purchase, with the corresponding nature of operation stated in RMCCI 1-8-2-2, in case of export credit insurance; or
 - b) purchase, classified as to nature under "25119 - INSURANCE - Other Insurance - Indemnities, in all other cases. (NR)
17. (Revoked) Circular no. 3376/2008
18. Contracting of exchange referring to the inflows of insurance accepted from abroad is permitted up to the final business day of the month in the overall amount of the values deposited into the account of the insurance company over the course of the month, through simultaneous formalization of purchase exchange contracts classified as to nature under "25102 - INSURANCE - Other Insurance - Premiums" and sale, classified as to nature under "55567 - SHORT-TERM BRAZILIAN CAPITAL - Deposits in Foreign Currency account in the country". (NR)
19. (Revoked) Circular no. 3376/2008
20. Contracting of exchange representative of the indemnities referring to insurance accepted from abroad in which the beneficiary is resident, domiciled or headquartered abroad, may be formalized up to the final business day of the month in the overall amount sent abroad over the course of the month, through simultaneous formalization of purchase exchange contracts classified as to nature under "55567 - SHORT-TERM BRAZILIAN CAPITAL - Deposits in Foreign Currency account in the country" and sell exchange contracts, classified as to nature under "25119 - INSURANCE - Other Insurance - Indemnities". (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 9 - Carriers Resident, Domiciled or Headquartered Abroad

1. The opening and maintenance of foreign-currency deposit accounts in a bank authorized to operate on the exchange market by transportation companies resident, domiciled or headquartered abroad are permitted on the basis of Decree no. 42820, of December 16, 1957, and Resolution no. 3222, of July 29, 2004, and such accounts may be replenished with resources resulting from the conversion of national currency earned in the country as a result of their activities.
2. In exchange contracts formalized for purposes of transfers abroad of revenues earned in the country by transportation companies resident, domiciled or headquartered abroad, temporary retention of amounts estimated for future utilization in payment of expenses incurred in the country is permitted.
3. The exchange contracts cited in the previous paragraph are settled at the full value contracted for immediate effect, though it is permitted to send money orders abroad in amounts below the value of the corresponding exchange contract with the difference being utilized within 90 days as of the date of exchange contracting for purposes of payment of expenses incurred in the country by the transportation company resident, domiciled or headquartered abroad, with the respective exchange contracts being formalized at the time of payment of such expenses according to the terms of the regulations in effect.
4. For purposes of calculating the amounts in foreign currency referring to spending incurred in the country as referred to in the previous paragraph, any rate of exchange between the minimum and maximum rates available on Sisbacen in the period of permanence of the transportation vehicle in national territory may be utilized at the discretion of the parties involved.
5. Should the amount estimated for current expenditures as dealt with in paragraph 2 above be greater than the amount effectively spent in Brazil, a new payment order must be sent abroad in an amount equivalent to that not utilized in the country, within the period of 90 days cited above.
6. The existence of negative balances in the account dealt with in paragraph 1 and for the amounts retained as treated in paragraph 2 is prohibited.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 14 - Account in Foreign Currency

SECTION : 10 - Agents Authorized to Operate in the Foreign Exchange Market

1. The banks authorized to operate in the foreign exchange market can open and maintain accounts in foreign currencies in the name of financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market.
2. The tourism agencies that still hold authorization by Central Bank of Brazil to operate in the foreign exchange market can maintain only one account in foreign currency per locality in banks authorized to operate in the foreign exchange market, regarding the balance maintained in this account integrates the operational limit of the tourism agency.
3. The accounts referred in this section are operated through orders or checks, duly observing the following:
 - a) they must be recorded by depositary banks under the specific Cosif heading;
 - b) they may only be opened and replenished with foreign-currency resources;
 - c) negative balances are prohibited.
4. As debits against these accounts, the depositary banks may:
 - a) accept checks against such accounts, received as charging instruments from bankers abroad or banks in the country authorized to operate on the exchange market;
 - b) accept requests from their respective account holders for purposes of:
 - I - withdrawals or issues of payment orders in the foreign-currency abroad;
 - II - payments of commitments in the country in national currency;
 - III - conversions into national currency.
5. The transactions mentioned in indents II and III of line “b” of the paragraph 4 of this section must always be preceded by the corresponding purchase of foreign currency by a bank authorized to operate in the foreign exchange market.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TÍTULO : 1 - Foreign Exchange Market

CAPÍTULO : 14 - Account in Foreign Currency

SEÇÃO : 11 - (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TÍTULO : 1 - Foreign Exchange Market

CAPÍTULO : 14 - Account in Foreign Currency

SEÇÃO : 12 - Subsidiaries and Branches, Abroad, of Brazilian Financial Institutions

1. The banks authorized to operate in the foreign exchange market must open and maintain specific account in foreign currency in the name of subsidiary or branches, abroad, of Brazilian financial institution that has granted a loan from the Central Bank of Brazil in accordance to article 2º-A of Resolution no. 3672, of 2008, included by Resolution no. 3689, of 2009.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 15 - Operations in Gold

1. The provisions of this chapter are restricted to gold classified as an exchange instrument by National Financial System institutions authorized to operate on the exchange markets.
2. The exchange gold instrument is that stated in the exchange position of the institutions as dealt with in paragraph 1 and is consequent upon the following operations:
 - a) purchases of financial asset gold from the institution itself;
 - b) purchases or sales of gold from or to the Central Bank of Brazil for this purpose;
 - c) purchases or sales of exchange gold instruments among the institutions stated in paragraph 1; or
 - d) arbitrage with another National Financial System member institution or with an institution abroad, according to the terms of exchange regulations.
3. Once it has been incorporated into the exchange position of the institution, the gold may only be negotiated with another financial system member institution authorized to operate on the exchange market, with an external institution or with the Central Bank of Brazil, duly observing the same conditions set down for the negotiation of foreign-currency.
4. (Revoked)
5. The operations dealt with in this chapter must be recorded at Foreign Exchange System, utilizing the gram as the basic unit and classified as currency XAU and, with respect to its nature, as stipulated in chapter 8 of this title. (NR)
6. The normative provisions on operations with exchange gold instruments are the same as those applied to foreign-currency purchase and sale operations, including that which concerns the composition and limits of the exchange position and the possibility of arbitrage operations.
7. (Revoked)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 1 - General Provisions

1. This chapter deals with provisions originating in agreements or international organizations in relation to transfers of resources from and to abroad.
2. Transfers of resources processed under the terms of the Reciprocal Payments and Credits Agreement - LAIA -CCR are dealt with in Chapter 17.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 2 - (Revoked) Circular No. 3612/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 3 - Cuba

1. Considering the conditions set down in the Framework Agreement signed by the Federative Republic of Brazil and by the Republic of Cuba on September 26, 2003, published in the "Diário Oficial da União", of November 20, 2003, referring to the Memorandum of Understanding of March 04, 1994, the summary of which was published in the "Diário Oficial da União" of March 30, 1994, and in light of the operational system negotiated for purposes of compliance with the provision in the Framework Agreement and Memorandum cited above, exchange operations related to payment of imports of Cuban products and services in the area of health, such as vaccines, other medicines for human use, diagnostic material, medical equipment, the veterinary product "recombinant vaccine against ticks", finished or semi-manufactured lobster fishing boats and other products or services that may be chosen on the basis of an agreement between the two countries for payment of debts indicated in the Framework Agreement, as well as those related to the payment of royalties on sales of pharmaceutical products, are subject to the following specific points without detriment to compliance with all other rules applicable to such questions:
 - a) the value of the merchandise (without incorporating the costs of freight and insurance) must be transferred abroad to Banco do Brasil S.A. – Frankfurt-Germany Branch, with the reference "Framework Agreement of September 26, 2003 referring to the Brazil/Cuba Memorandum of Understanding of March 04, 1994", to be applied as indicated in Article III of the Framework Agreement;
 - b) notification must be issued two days prior to the date of settlement of the exchange operation to Banco do Brasil S.A. / Operational Assets Restructuring Unit/REDEX, by fax (xx) 61 310-2442 or 310-3853, referenced to the "Framework Agreement/Brazil/Cuba Memorandum of Understanding", indicating the date of transfer of the resources abroad ("value date"), the value of the foreign-currency and the Cuban exporter company.
2. The foreign-currency seller bank must examine the invoice submitted to it for purposes of compliance with the provision in the previous paragraph.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 4 - Hungary

SUBSECTION : 1 - General Provisions

1. The Interbank Arrangement formalized on April 29, 1985 between the Central Bank of Brazil and the Hungarian Foreign Trade Bank Ltd. - Exterbank, Budapest was terminated on June 12, 2002.
 2. Since that time, in payments consequent upon operations between Brazil and Hungary, only the general provisions applicable to financial relations with the international community are to be followed.
 3. The Arrangement is targeted at registration of payments in United States dollars corresponding to direct operations of any nature whatsoever carried out between Brazil and Hungary, with reimbursement through the Central Bank of Brazil or Exterbank, in the manner, over the periods and with the conditions stated in this section provided that such operations have been initiated prior to June 12, 2002.
 4. With respect to commercial operations processed in the framework of the Arrangement, the origin of the merchandise is utilized as the basic reference, while operations among individual persons or corporate entities resident or domiciled in Brazil or Hungary are considered for all other operations.
 5. Payments are processed between banks authorized to operate in exchange in the country and Exterbank, by means of the following credit or payment instruments issued in United States dollars:
 - a) letters of credit;
 - b) payment orders, including settlement of charging instruments;
 - c) documentary credits/charging;
 - d) bills of exchange, related to commercial transactions guaranteed by the authorized institution;
 - e) nominal bank checks.
 6. Banks authorized to operate in exchange may effect payments in Brazil under the terms of the Arrangement, independently of prior authorization, duly observing the exchange provisions in effect and provided they have followed Exterbank instructions.
 7. The banks authorized to operate in exchange are exclusively responsible for verifying the authenticity and implementation of operations carried out under the terms of the Arrangement, while the banks are responsible for normalizing any possible divergences that may arise with Exterbank, in which case it is recommended that an immediate statement of position on the part of Exterbank with regard to the correctness of the documents submitted be requested in the negotiation of documentary letters of credit under the terms of the Arrangement.
 8. With respect to issue of credit or payment instruments, the following is required:
 - a) the authenticity of the document or of the bank guarantee must be unmistakable;
 - b) the letter of credit, payment order, documentary credit, bill of exchange or check must contain the declaration: "Reimbursement through the Arrangement Exterbank/Bancentral (or its equivalent), under number ... (reference number indicated by the issuer Bank or guarantor bank)";
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market
CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions
SECTION : 4 - Hungary
SUBSECTION : 1 - General Provisions

- c) in the case of checks, they must be nominal, devoid of the clause "to the order of", specify their objective and contain the declaration "non-endorsable", aside from the declaration indicated in the previous line;
 - d) in the case of operations with bank guarantees, aside from the dated and signed declaration of guarantee, the bill of exchange must contain the declaration "Sole copy of a bill of exchange" on the front side and, on the back, the declaration "Reimbursement through the Arrangement Exterbank/Bancentral (or its equivalent), under number ... (reference number indicated by the guarantor bank). This bill of exchange derives from export of ... (merchandise) ... /value US ...".
- 9. With regard to the execution of the operations or negotiation of the credit or payment instruments, it is required that, in the case of a banking agreement, the executor or negotiator bank that remitted the respective charging instrument, be authorized to operate in exchange in the country and, in Hungary, Exterbank.
- 10. Carrying out of operations under the terms of the Arrangement subordinates the bank authorized to operate in exchange to the conditions set down in this section and, more specifically, to the commitment to reimburse the Central Bank of Brazil, in the amount in United States dollars as determined by it, corresponding to:
 - a) the payment effected abroad through the letter of credit issued under the terms of the Arrangement, even in the case of payments effected without compliance with the conditions of the cited credit;
 - b) the payment order or any other document that has issued or guaranteed payment to Hungary;
 - c) the amount reimbursed by the Central Bank of Brazil as a result of an operation processed under the terms of the Arrangement in which the payment effected by an authorized bank in the country is rejected in Hungary;
 - d) the interest rates due through the reimbursement refund cited in the previous line, or as a result of a possible delay in effecting the reimbursement to the Central Bank of Brazil for which the bank authorized to operate in exchange is responsible, while in such situations the reimbursement may be effected in Brazilian real, according as preferred by the Central Bank of Brazil.
- 11. The letters of credit issued in the country must contain instructions to Exterbank in the sense that, on the same day as payment to the exporter, it will notify this fact to the Brazilian bank that instituted the credit, with the data and information required for the corresponding and opportune reimbursement to the Central Bank of Brazil.
- 12. For purposes of payment to the exporter at maturity and simultaneous reimbursement under the terms of the System, bills of exchange corresponding to purchases/sales of merchandise guaranteed by the institutions authorized to operate in exchange or by Exterbank do not require payment orders or any other type of transfer, while the commissions and banking fees of the institution granting the guarantee will be the responsibility of the importer, in which case this should be made explicit in the instructions from the grantor bank on remitting the bill abroad.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 4 - Hungary

SUBSECTION : 1 - General Provisions

13. The letter of remittance of the guarantee granted to bills of exchange must contain the following declaration: "Please take note that upon maturity of these bills of exchange we shall automatically reimburse the amounts thereof through the Exterbank/Bancentral Arrangement".
14. With respect to the guarantees granted by Exterbank on bills of exchange referring to Brazilian exports, it should be noted that:
 - a) upon maturity of the bill and after settlement of the corresponding export exchange purchase has been processed, the Brazilian bank requests the Central Bank of Brazil to effect the respective reimbursement of the amount in United States dollars, in which case reception of any notification or payment order from abroad related to the payment of the bill by the importer is not required;
 - b) the credit request indicated in the previous line must be effected according to the terms of appendix 17 to this title, indicating the acronym "LA", equivalent to the guaranteed bill, in the space provided, in which case the stated credit requests must include copies of the letter of remittance of the bill abroad.
15. With respect to the guarantees granted by Brazilian institutions on bills of exchange referring to Brazilian imports, the following must be observed:
 - a) the bill of exchange guaranteed by a Brazilian institution must be paid to the foreign exporter automatically and independently of any order or notification on the part of the Brazilian bank, which consequently is not responsible for seeing to any transfer abroad in this regard;
 - b) the value of the guarantees granted by the Brazilian bank under the terms of the Arrangement is calculated normally within the general limits set down for the granting of bank guarantees, as stated in Central Bank of Brazil instructions in this regard.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 4 - Hungary

SUBSECTION : 2 - General Provisions regarding Reimbursement

1. Delivery of the amounts in United States dollars corresponding to reimbursement of transactions carried out under the terms of the Arrangement - in the benefit of the Central Bank of Brazil or an authorized bank - is processed on the basis of the balance resulting from the clearing of operations of this type as calculated on the day by the authorized bank.
2. The banks must conduct, through their exchange departments in Rio de Janeiro/RJ or São Paulo/SP and at their discretion, the relations with the External Debt and International Relations Department (Derin) of the Central Bank of Brazil in respect to reimbursements of operations carried out under the terms of the Arrangement, delivering the reimbursement requests to which they are entitled or reimbursing the Central Bank of Brazil.
3. Reimbursements due to the Central Bank of Brazil must observe the following deadlines:
 - a) up to the business day following that of the negotiation of the letters of credit issued by the banks, in the case of immediate payment;
 - b) at the respective maturities of the letters of credit and guaranteed bills, in the case of installment payment;
 - c) up to the business day following that of settlement of the exchange contract, in all other cases.
4. Within the time periods indicated above, the banks must seek to deliver correspondence to the External Debt and International Relations Department (Derin), in the form indicated in appendix 15 of this title, demonstrating the value of the operations effected on the day and the resulting balance, for purposes of reimbursement, observing that:
 - a) should the balance be positive for the bank, the correspondence must contain a request for transfer of the respective amount in United States dollars to its credit with the banker indicated for this purpose;
 - b) should the balance be positive for the Central Bank of Brazil, the correspondence must declare that the respective value in United States dollars will be the object of a credit operation with the banker indicated by the Central Bank of Brazil.
5. With respect to delivery of the foreign currency:
 - a) the credit must be effected with the banker indicated according to the terms of the previous paragraph, on the business day (abroad) following delivery of the correspondence cited therein, and the respective parties should not charge the costs of the messages transmitted among themselves;
 - b) should a restricted holiday occur in the locality of the department indicated for centralized carrying out of the operation with the Central Bank of Brazil, the correspondence related to the operations on that holiday must be delivered by the centralizing department to the Central Bank of Brazil on the subsequent business day.
6. Should a delay occur in delivery of the foreign currency, the debtor entity must instruct its correspondent to back value the credit in the account to the adjusted date.
7. Alternatively, at the option of the creditor entity or when valuation is seen to be unfeasible, the debtor party will pay interest for the period of arrears, calculated according to the prime rate in

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 4 - Hungary

SUBSECTION : 2 - General Provisions regarding Reimbursement

effect on the date on which the payment was due at the bank with the largest assets in the city of New York, plus a margin of two percentage points per year.

8. Reimbursements due to the Central Bank of Brazil are to include a declaration of reimbursement according to the terms of appendix 16 of this title, signed by the centralizing department, configuring all of the operations of the bank carried out in the framework of the Arrangement, stating the following in the space "date of reference" of the Reimbursement Declaration:
 - a) in cases involving letters of credit with immediate payment - the date of negotiation;
 - b) in cases involving letters of credit and a guaranteed bill with installment payment - the date of the respective maturity;
 - c) in all other cases - the date of settlement of the corresponding exchange contract.
9. The banks are dispensed from appending the documents corroborating the dates referred to in the previous paragraph to the Reimbursement Declaration.
10. Should divergences for which the banks are liable be found to exist through the balancing of accounts between Exterbank and the Central Bank of Brazil, the Central Bank of Brazil will be entitled to levy the charges stated in subsection 4, with interest due for the period of arrears.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 4 - Hungary

SUBSECTION : 3 - Reimbursement Request

1. Requests for reimbursement involving operations carried out under the terms of the Arrangement must be formulated through utilization of appendix 17 of this title, informing the payment instruments utilized, as well as the commissions and outlays, when suitable.
2. The numbers for reimbursement indicated by Exterbank must be entered exclusively in the column "No. Indicated for reimbursement" of the form mentioned above, and will be utilized for purposes of reconciling entries.
3. The reimbursement requests dealt with herein must have their own sequential numbering system to be renewed annually and included by the centralizing department in the space "Credit Request no.", in which case the numbering of the Department of origin may be indicated in the upper right margin of the printed sheet, and the banks must maintain a copy of these requests for a minimum period of five years.
4. Reimbursement requests referring to export exchange contracts settled must be submitted in the following time periods:
 - a) for operations with immediate payment, supported by irrevocable letters of credit negotiated without discrepancies: as of the date of the negotiation of the documents by the bank, including a copy of the letter of remittance of such documents to Exterbank;
 - b) for operations with installment payment, supported by irrevocable letters of credit with no discrepancies pending solution: as of the maturity date foreseen in the letter of credit, including a copy of the letter of remittance of such documents to Exterbank;
 - c) for transactions with immediate payment or installment payment, in the charging modality, including those operations which, although there is a letter of credit, have discrepancies that are only resolved after remittance of the documents (operation with immediate payment) or after the scheduled maturity (operation with installment payment); once the respective notification or payment order referring to settlement of the export by Exterbank is received by the bank, the reimbursement request must include a copy of the notification of liquidation or a copy of the payment order, in the latter case, also including a copy of the notification to Exterbank of the respective payment to the beneficiary;
 - d) for operations supported by a bill guaranteed by Exterbank; as of the maturity of the bill, including a copy of the lesser of remittance of the bill to Exterbank.
5. In the case of financial purchases, reimbursement requests must be submitted as of the day of the settlement of the respective exchange purchase, including a copy of the corresponding payment order or check that was negotiated and a copy of the notification to Exterbank of the respective payment to the beneficiary.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 4 - Hungary

SUBSECTION : 4 - Restitution of Undue Reimbursement

1. Should an undue reimbursement be effected by the Central Bank of Brazil, the respective amount must be refunded up to the day following the corresponding notification sent to the bank, which will also be accountable for payment of the following to the Central Bank of Brazil:
 - a) interest calculated on the basis of the prime rate of the bank with the largest assets in the city of New York, in effect on the date on which the refund is effected, plus a margin of two percentage points per year calculated in foreign currency for the period of the original reimbursement date to the date of refund;
 - b) a fee equivalent in Brazilian real to US\$25.00 (twenty five United States dollars), as refund of administrative costs including outlays on communications with Exterbank.
2. Should the refund to the Central Bank of Brazil not occur within the forecast time., the intervening institution will be subject to payment of interest on the corresponding value, calculated according to the terms of line "a" of the preceding paragraph, and will be calculated as of the original due date to that on which the refund is effected.
3. In the case of an undue refund already effected to the Central Bank of Brazil, the corresponding amount in United States dollars will be refunded to the institution without any additional amount or updating and the interest paid in the reimbursement operation will also be refunded, should that occur.
4. The request for return of the undue refund to the Central Bank of Brazil must be made by the centralizing department of the institution to the External Debt and International Relations Department (Derin), on the basis of a letter containing the facts related to the case.
5. The amounts referring to interest and expenses due to the Central Bank of Brazil and dealt with in this subsection are to be included in transfers of funds to the Central Bank of Brazil.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 16 - Countries Featuring Special Foreign Exchange Provisions

SECTION : 5 - Countries which do not apply the recommendations of the Financial Action Group against Money Laundering and Financing of Terrorism – GAFI (NR)

-
1. The institutions authorized to operate in the foreign exchange market, at the time of operations with individuals and corporate entities, including financial institutions and companies, located in countries which do not apply or apply insufficiently the recommendations of the Financial Action Group against Money Laundering and Financing of Terrorism (FATF), must register in a report the analysis of such operations and, in the case of not being clearly characterized in their legal and economic foundations, communicate to the Council for Financial Activities Control (COAF) in the manner determined by the Central Bank of Brazil.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 1 - General Provisions

1. The Central Bank of Brazil has a Reciprocal Payment and Credit Agreement – CCR with the central banks of Argentina, Bolivia, Chile, Colombia, Ecuador, Mexico, Paraguay, Peru, the Dominican Republic, Uruguay and Venezuela.

2. (Revoked) Circular no. 3530/2011

2-A. For purposes of this chapter the following definitions are established:

- a) CCR System: information system of the Central Bank of Brazil dedicated to records CCR operations, operating in real time, integrated into the system SiCap/Aladi through Web services and authorized financial institutions in Brazil, through messaging;
- b) SiCap/Aladi: Computerized Support Agreement, operated by the Center for Operations of the RAC, which works on the premises of the Central Bank Reserves Peru, under the coordination of the Latin American Integration (ALADI), centralizes all ongoing operations in the Covenant, entered by central banks participants;
- c) Authorized Institutions: Financial institutions authorized by the central banks of member countries to make payments (gatherings) and receipts (repayments) through the CCR;
- d) Code Redemption "Sicap/Aladi": identification number of operations performed in CCR;
- e) Daily Summary: The result of the rights and obligations of the authorized institution for to its operations conducted in CCR in each day movement, observed that their balance final result of the daily clearing institution for those rights and obligations, for Central Bank of Brazil or the authorized institution, is settled in U.S. dollars United States in the plaza of New York;
- f) Day-movement: daily period with time-limit within which the operations of an institution authorized transactions performed in the CCR is aggregated for consolidation in the Daily Summary, should be noted that the time-out occurs at 4:00 pm (BRT), exception of 24 and 31 December, when it is anticipated to eleven; (Included by Circular no. 3530/2011)

3. (Revoked) Circular no. 3530/2011

3-A. The CCR system allows:

- a) consultation to instruments recorded and refunds made;
- b) consultation of the Daily Summary, automatically sent to the authorized institution, containing detailing all operations performed on the day, and
- c) inclusion, alteration and deletion of the instruments received from abroad, as well as the reversal of repayments made. (Included by Circular no. 3530/2011)

4. (Revoked) Circular no. 3530/2011

4-A. The release in the Daily Summary will be made automatically and will include:

- a) export refunds derivatives trading recorded by the financial institution;
- b) gatherings of derivatives trading imports registered by the financial institution;
- c) import uncollected debts derived from emissions / endorsements filed by financial

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 1 - General Provisions

institution;

d) chargebacks, returns, interest and administrative fees. (Included by Circular no. 3530/2011)

5. (Revoked) Circular no. 3530/2011

5-A. Payments subject to progress in the CCR are performed only in U.S. dollars U.S. and limited to direct transactions between Brazil and the countries with agreements, corresponding to operations of trade in goods originating from those countries, including all services and expenses related thereto, as well as trading operations services not related to trade in goods contracted by residents of countries with agreements, provided that contemplated in the agreements signed by pairs or groups of banks centers with agreements. (Included by Circular no. 3530/2011)

6. (Revoked) Circular no. 3530/2011

6-A. The list of institutions authorized to operate in the CCR is available for consultation on the CCR, the site of the Central Bank of Brazil. (Included by Circular no. 3530/2011)

7. (Revoked) Circular no. 3530/2011

7-A. The payments for the transactions listed in item 5-A, which between residents, domiciled or headquartered in the respective participating countries are likely course in CCR, considering the country of origin of goods. (Included in Circular no. 3530/2011)

8. (Revoked) Circular no. 3530/2011

8-A. They are also likely to progress in the CCR letters of credit and documentary credits, irrevocable and transferable, referring to Brazilian imports where the exporter is resident in a country signatory and the origin of the goods previously acquired by exporting third country is also signatory ("triangular transactions"), considering this case, for purposes of payment, country of residence of the exporter. (Included by Circular no. 3530/2011)

9. (Revoked) Circular no. 3530/2011

9-A. For purposes of the provisions of section 8-A, the issuing bank must send payment instrument, until the next business day after the record of the transaction, e-mail to the Department of International Affairs, Division of Monitoring Systems for International Settlements (Derin / DISIP), in accordance with Annex 23 of this title. (Included by Circular no. 3530/2011)

10. (Revoked) Circular no. 3530/2011

10-A. Banks interested in operating in CCR prior membership must apply by letter to the Central Bank of Brazil / Department of International Affairs - Derin, pursuant to Annex 18 of this title, signed by at least one director approved by the Central Bank of Brasil. (Included by Circular no. 3530/2011)

11. (Revoked) Circular no. 3530/2011

11-A. The Central Bank of Brazil shall establish for each institution, operating out of a global character to be observed in issuing and granting of guarantees instruments apt for processing through the Covenant.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 1 - General Provisions

12. (Revoked) Circular no. 3530/2011

12-A. The participating Brazilian institutions have authorization to issue general character letters credit and promissory notes for the purchase or sale of goods or services linked to trade course which payment under the Agreement, as well as provide guarantees in such promissory notes and bills corresponding to commercial operations, subject to the provisions of this Regulation. (Included by Circular no. 3530/2011)

13. (Revoked) Circular no. 3530/2011

13-A. The authorized institution responds fully and solely for verifying the authenticity, legitimacy and the proper execution of operations and information to be recorded in the System CCR, not assuming the Central Bank of Brazil liability incurred by disagreements between authorized institutions regarding the implementation of operations, leaving these settle between themselves and occurrences of the species. (Included by Circular no. 3530/2011)

14. (Revoked) Circular no. 3530/2011

14-A. The Central Bank of Brazil guarantees to institutions authorized to operate in the country in the Agreement refund of the amount in U.S. dollars of transactions processed under the system CCR, whose instruments of payment are within 360 days. In the case of longer-term instruments, the Central Bank of Brazil only undertakes to pass those payments that have been honored by the central bank accordingly. (Included by Circular no. 3530/2011)

15. To guarantee the performance of the CCR, which are prerequisites:

- a) the issuing institution or instrument granting the approval is authorized, the date of issuance of the document or to grant approval to operate the System;
- b) the bank or dealer or performer - in the case of bank guarantee - the sender of the note promissory note or letter endorsed for collection abroad is also authorized to operate the Agreement;
- c) the authenticity of the document or the endorsement is not doubt;
- d) instruments are issued, endorsed, completed or negotiated in accordance with the regulations applicable to them;
- e) instructions are observed ordering of the financial institution or issuer, so that cannot be attributed to the operation of any abnormality. (Included Circular no. 3530/2011)

16. In the event of losing the institution's authority to operate the system, guarantees payment shall be preserved in relation to all transactions linked to instruments by She issued or guaranteed - to travel in the Covenant - as authorized to do so. (Included Circular no. 3530/2011)

17. The authorized institution shall designate the Derin / DISIP a component responsible for centralization and record your operations in the RCC and the relationship with the Central Bank Brazil. (Included by Circular no. 3530/2011)

18. The daily clearing of payments and receipts are made automatically for each institution, by computing the value of gatherings to the Central Bank of Brazil, the value of repayments made on the same date, as well as other launches debit or credit institution, including amounts arising from chargebacks and returns. (Included in Circular no. 3530/2011)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 1 - General Provisions

19. The payment for the net balance in the compensation must be settled daily, in New York, the New York business day following the day-movement of the Daily Summary for through credit order, as follows:
- a) in favor of the institution: made automatically based on data recorded in CCR System and in accordance with instructions issued by the institution itself;
 - b) in favor to the Central Bank of Brazil: made directly to the account of the Central Bank of Brazil, together with banker appointed by him, observed that if the claim is not made until the day following that of compensation, the Central Bank of Brazil, regardless of administrative sanctions applicable, may make the release rate of the corresponding value in the Daily Summary of the institution responsible, well as interest, calculated on the basis of the prime rate plus a spread of 2% pa the period of the delay. (Included by Circular no. 3530/2011)
20. The institution shall keep on file documentation relating to operations conducted in CCR for a minimum of five years counted from the end of the year in which they occurred settlement or cancellation of the transaction for purposes of presentation in this Central Bank Brazil, when prompted. (Included by Circular no. 3530/2011)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 2 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 3 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 4 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 5 - Admissible Payment Instruments

SUBSECTION : 1 - General Provisions

1. The following payment instruments are accepted for processing under the terms of the Agreement:
 - a) letters of credit or documentary credits (CC/CD); (NR)
 - b) bills corresponding to commercial operations guaranteed by authorized institutions (LA) and; (NR)
 - c) promissory notes related to commercial operations issued or guaranteed by authorized institutions. (PA). (NR)
2. (Revoked) Circular no. 3530/2011
3. (Revoked) Circular no. 3530/2011
4. Interest (CCI, CDI, LAI, PAI) and the fees and expenses (CG) directly linked to trade whose payments have been made in the CCR System must be recorded with the same reimbursement code for the instrument to the principal amount. (NR)
5. The authorized issuer or guarantor institution must include the following expression in the instrument: "Reimbursable through the Reciprocal Payment and Credit Agreement under Reimbursement Code no" (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 5 - Admissible Payment Instruments

SUBSECTION : 2 - Letters of Credit or Documentary Credits

1. On issuing the letter of credit for immediate payment, the Brazilian institution must include in the respective instrument the obligation that the institution authorized in the country of the exporter notify it through communication usually accepted in commercial operations on the date in which it occurs. (NR)
2. It is recommended that, after negotiation of the letters of credit or documentary credits, the Brazilian banks request from the bank instituting the credit an immediate statement of position that it is in agreement with the documents remitted.
3. It is not permitted, through the CCR, the processing of letters of credit or documentary credits stipulating importer financing in periods greater than that defined for payments to exporters. (NR)
4. Based on prior authorization of the central banks involved, letters of credit issued under the clauses indicated below may be processed under the terms of the Agreement: (NR)
 - a) "stand by": with the objective of guaranteeing the participation of companies from the countries of the central banks that are members of the Agreement in international tenders in other member countries; (NR)
 - b) "red clause": noted that there will have to guarantee the operation of the Agreement return of foreign exchange arising from the letter of credit issued on the "red clause". (NR)
5. (Revoked) Circular no. 3530/2011
6. Brazilian banks participating in the Agreement are automatically authorized to carry out the operations cited in paragraph 4 above, noting that the letters of credit must necessarily correspond to the commercial transactions. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 5 - Admissible Payment Instruments

SUBSECTION : 3 - Guaranteed Bills

1. Aside from the duly dated and signed declaration of guarantee, the guaranteed bills must contain:
 - a) on the front side the indication "SINGLE BILL OF EXCHANGE";
 - b) on the back, the indications: (NR)
 - I - "Reimbursement through the Reciprocal Payment and Credit Agreement under Reimbursement Code no (indicated by the issuing institution or guarantor)"; (NR)
 - II - "This bill results from export of (merchandise)..... exporter country..... importer country..... date of shipment..... value in US\$..... date of guarantee.....".(NR)
2. On granting the guarantee, the institution will be certifying that the bill originated in the commercial transaction specified on the back.
3. The instructions of the remitting party must make it explicit that the commissions and banking expenses of the authorized guarantor institution will be paid by the importer.
4. In order to avoid possible duplicity in payments, the authorized institutions should include the following in the letters of remittance in which charging bills are included: "We request that you observe that, at maturity of this (these) bill(s), we will automatically reimburse you through the Reciprocal Payment and Credit Agreement". (NR)
5. In order to qualify for reimbursement of the amounts of the bills guaranteed by institutions authorized to operate under the terms of the Agreement, reception of any type of notification or authorization from the guarantor institution is not essential. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 5 - Admissible Payment Instruments

SUBSECTION : 4 - Promissory Notes

1. Promissory notes related to commercial operations issued or guaranteed by authorized institutions must include the following indications on the front side:
 - a) "Reimbursement through the Reciprocal Payment and Credit Agreement under Reimbursement Code no (indicated by the issuer or guarantor institution)"; (NR)
 - b) "This promissory note results from export of: (merchandise or services)..... exporter country..... importer country..... date of shipment..... value in US\$..... date of guarantee....." (NR)
2. At the time of issue or guarantee of the promissory note, the issuer or guarantor will be certifying that the instrument originated in the commercial transaction indicated thereon. (NR)
3. In the case of Brazilian exports, the authorized institution effects payment at maturity of the promissory note to the beneficiary and is reimbursed through the Central Bank of Brazil. (NR)
4. In those cases in which it is expressly stipulated on the promissory note that payment will be effected in installments and in those in which interest is levied on the operation, the banker of the exporter will send a receipt for the corresponding amounts to the issuer institution or guarantor. (NR)
5. The receipts cited in the previous paragraph must contain the elements required for identification of the promissory note to which they refer, including their respective reimbursement code.
6. The processing of promissory notes through the Agreement when such are issued or guaranteed by authorized Brazilian institutions for discounting of instruments derived from commercial operations that are also to be processed through the CCR is prohibited (financing in the third party country. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 6 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 7 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 8 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 9- Registration on the CCR system and record in the daily summary (Included in Circular no. 3530/2011)

1. The record of the issuance of letters of credit and documentary credits and negotiation of letters and backed promissory notes should be performed:
 - a) within 20 calendar days from the date of its issuance or its approval, in the case of exports;
 - b) after the issue in the case of imports.
2. The Department of International Affairs (Derin) can admit, at its discretion, the registration mentioned on item 1-a of this chapter in a period exceeding 20 calendar days from the date of its issuance or its approval, as appropriate, observed the prior authorization of the central bank of the country issuing the reimbursement code Computerized Information System Support to the CCR from Aladi.
3. The emissions recorded on item "1-b" shall receive reimbursement code "Sicap / Aladi," which will appear in the payment instrument.
4. The issue must be recorded at full value, with the registration of the issuance date and the maturity of the instrument. It must be made with the actual amount negotiated with the information on the negotiation and settlement date, being the launch of the credit or debit card processed automatically by the Daily Summary System of the institution, the date indicated due under this section.
5. The records indicated in the previous section are sent to the Computerized Support CCR Aladi (SICAP / ALADI) and if there are no differences and the record becomes effective in SICAP / ALADI, the operation turns to the situation "registered".
6. Should the Daily Summary have a positive balance for the Central Bank of Brazil, not being paid within the prescribed period, there should be paid interest based on the prime rate plus a spread of 2% per year for the period between the due date and the date of actual payment, subject to the penalties provided in the Letter of Accession to the CCR, with the Central Bank of Brazil making the launch of the unpaid amount at the Daily Summary of the institution.
 - a) by the time the CCR System is in production, trading records of export transactions with a maturity of less than 360 days from the date of issue or its approval will be deleted by the Central Bank of Brazil that are cumulatively the following conditions: Maturity date of entry inferior to the entry date of production of the CCR System;
 - b) those whose respective foreign exchange contracts have not been linked in the old system CCR-Sisbacen until the date of production entry of the CCR System.
7. The financial institution may register with CCR System negotiations that excluded the previous item.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 10- Specific Provisions on Exports (Included in Circular no. 3530/2011)

-
1. The Central Bank of Brazil transfers to the authorized bank the value of the recorded trade with the expiration date being the same as indicated on the system. The authorized bank shall deliver the foreign currency to the exporter in the manner and within agreed, subject to regulations about receiving exports.
 2. Only credit operations whose records have been properly made and whose status is "registered" will be credited on maturity, observed the restrictions of items 6 and 7.
 3. When there is an improper credit, the amount paid by the Central Bank of Brazil must be refunded by the institution that made the record of negotiation, including the reversal in the CCR System, and the file with the proving the operation must be kept, with the institution being entirely entitled to confirm that the appropriate procedures have been made.
 4. In the case mentioned in the previous section, the institution is subject to payment of:
 - a) interest calculated at prime rate prevailing at the date of commencement of creep in interest rates plus a spread of 2% pa (Two percent per year) for the period between the effective date of repayment and including the date of cancellation;
 - b) the rate of US\$25.00 (twenty five U.S. dollars) for the reimbursement of administrative expenses of the Central Bank.
 5. The calculated values in the previous item are automatically launched in the Daily summary of the bank at the same day as in the CCR System. When the reversal is of export transactions with payments up 360 days, these values will only be launched in the Daily Summary after the close of the quarter in which it was conducted.
 6. Regardless of the expiration date informed in the Daily Summary, the entries are made by the Central Bank of Brazil after the close of each quarter, entirely or partially, depending on prior payment by central banks, net of automatic repayments made by the Central Bank of Brazil when based on payment instruments with a maturity of 360 days from the date of issue or its approval, as appropriate.
 7. The Daily Summary entries in the form of the previous item are:
 - a) made two working days after the compensation made by the RAC, or, if no payment has been honored in full, two days after the settlement of the unpaid portion;
 - b) paid in pro rata rates on two-month Libor rate (disclosed in the transaction SISBACEN PTAX800, option 8) minus 1/8 (one eighth) in the period between the expiration date reported in the System and the second working day after settlement of compensation.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 17 - Agreement on Reciprocal Payments and Credits (CCR)

SECTION : 11 - Specific Provisions on Imports (Included in Circular no. 3530/2011)

-
1. The amount collected that is not subjected of a debt by a foreign bank will be reimbursed through the establishment of credit included in the Daily Brief, with the institution requesting repayment to the Central Bank of Brazil, through the CCR System.
 2. If the Central Bank of Brazil will be charged abroad for a value that has not been collected, it will automatically be performed by the CCR System the launch of a charge in the Daily Summary of the authorized institution.
 3. In the event of the preceding item, if the release of the debt in the Daily Summary of the authorized institution is made after the date of debiting the account of the Central Bank of Brazil, interest rates will also launched automatically in the Daily Summary of the institution, calculated based on the prime rate prevailing at the date of commencement of the interest plus a spread of 2% year (Two percent per year) for the period between the date of debiting the account of the Central Bank of Brazil and the date of release in the Daily Summary.
 4. The values of the instruments impact the operational limit of the institution since the date of issue or grant of approval until they are liquidated or canceled in whole or in part.
 5. It is forbidden in the CCR System the issuance and endorsement of instruments for values greater than the balance of the operating limit granted to the institution.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION
TITLE : 1 - Foreign Exchange Market
APPENDIX : 1 - Model exchange contract entered into with customers (NR)
Exchange Contract

Type of exchange contract [<input type="checkbox"/>] buy [<input type="checkbox"/>] sell	Number of exchange contract
---	-----------------------------

Event [<input type="checkbox"/>] dealing [<input type="checkbox"/>] cancellation [<input type="checkbox"/>] amendment	Date
--	------

The parties hereinafter, **institution authorized to operate in the exchange market** and **customer**, hire this exchange operation under the conditions set forth herein and declares that it shall be subject to the rules, conditions and legal and regulatory requirements applicable to the matter.

Institution Authorized to Operate in the Exchange Market

Name	CNPJ
------	------

Address

City	State
------	-------

Customer

Name	CPF/CNPJ/Identification of foreign
------	------------------------------------

Address

City	State/Country
------	---------------

Mediating Institution*

Name*	CNPJ*
-------	-------

Operation Data

Foreign Currency Code	Value in Foreign Currency ()	
Exchange Rate	Value in National Currency R\$ ()	
Total Effective Value (VET)*	Description of the form of foreign currency delivery	Settlement up to
Classification	Description of the nature of operation	

Payer / Receiver abroad*

Country of payer / receiver abroad*	Code regarding the link between the client and payer / receiver abroad*
-------------------------------------	---

Percentage of payment on the foreign exchange contract*	RDE*
---	------

Other specifications
Contractual Clauses
Instructions for payment / receipt

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 1 - Model exchange contract entered into with customers (NR)

The client claims to have knowledge of the text in its foreign exchange contract, Article 23 of Law no. 4131, of September 03, 1962, and in particular from §§ 2 and 3, this transcribed document and the International Capital Foreign Exchange Market Regulation, which govern this transaction.

Article 23, §§ 2 and 3, of Law no. 4131, of September 03, 1962, with the wording of Article 72 of Law no. 9069, of June 29, 1995:

“§ 2° Offense is attributable to the banking establishment, the broker and the client, punishable by a fine of fifty (50) 300% (three hundred percent) of the transaction value for each of the offenders, the false declaration of identity in the form that, in number pathways and following the model given by the Central Bank of Brazil, will be required in each operation, the client signed and stamped by a banking institution and the broker that it intervene.

§ 3° An infraction, the sole responsibility of the customer, punishable by a fine of five (5) 100% (hundred percent) of the transaction value, the declaration of false information in the form referred to in § 2. ”

Signatures

Institution authorized to
operate in the exchange
market

Customer

Mediating Institution

* Field to be completed when applicable.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 2 - (Revoked) Circular no. 3545/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 3 - (Revoked) Circular no. 3545/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 4 - (Revoked) Circular no. 3545/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 5 - (Revoked) Circular No. 3591/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 6 - (Revoked) Circular No. 3591/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 7 - Form of type 7 purchase foreign exchange contract

PURCHASE EXCHANGE CONTRACT - TYPE 07
AMENDMENT

No. / DATED / / PG. No. 01

THE PARTIES DESIGNATED BELOW, THE BUYER AND SELLER RESPECTIVELY, AS INTERVENING PARTIES IN THE EXCHANGE CONTRACT WITH CHARACTERISTICS HERE ADJUSTED AGREE IN THE STATEMENT OF THE FOLLOWING CHANGES WHICH BECAME INTEGRANT PART OF THAT CONTRACT.

BUYER: CNPJ: ADDRESS:
SELLER: CNPJ: ADDRESS:
VALUE RELATED TO THIS CHANGE:
CHANGES:
CONTRACTUAL CLAUSES:
OTHER SPECIFICATIONS:
FOR THE BUYER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).
FOR THE SELLER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).
FOR THE BROKER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 8 - Form of type 8 sale foreign exchange contract

PURCHASE EXCHANGE CONTRACT - TYPE 08
AMENDMENT

No. / DATED / / PG. No. 01

THE PARTIES DESIGNATED BELOW, THE SELLER AND BUYER RESPECTIVELY, AS INTERVENING PARTIES IN THE EXCHANGE CONTRACT WITH CHARACTERISTICS HERE ADJUSTED AGREE IN THE STATEMENT OF THE FOLLOWING CHANGES WHICH BECAME INTEGRANT PART OF THAT CONTRACT.

SELLER: CNPJ: ADDRESS:
BUYER: CNPJ: ADDRESS:
VALUE RELATED TO THIS CHANGE:
CHANGES:
CONTRACTUAL CLAUSES:
OTHER SPECIFICATIONS:
FOR THE SELLER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).
FOR THE BUYER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).
FOR THE BROKER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 9 - Form of type 9 purchase foreign exchange contract

PURCHASE EXCHANGE CONTRACT - TYPE 09
CANCELLATION

No. / DATED / / PG. No. 01

THE PARTIES DESIGNATED BELOW, THE BUYER AND SELLER RESPECTIVELY, HEREBY CONTRACT THIS EXCHANGE OPERATION ACCORDING TO THE STATED CONDITIONS.

BUYER:

CNPJ:

ADDRESS:

SELLER:

CNPJ:

ADDRESS:

CURRENCY:

EXCHANGE RATE:

CANCELLED VALUE IN FOREIGN CURRENCY:

CANCELLED VALUE IN NATIONAL CURRENCY:

CONTRACTUAL CLAUSES:

OTHER SPECIFICATIONS:

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 9 - Form of type 9 purchase foreign exchange contract

PURCHASED EXCHANGE CONTRACT – TYPE 09
CANCELLATION

No. / DATED / / PG. No. 02

THE INTERVENING PARTIES IN THIS EXCHANGE CONTRACT – BUYER, SELLER AND BROKER – HEREBY DECLARE THAT THEY ARE FULLY KNOWLEDGEABLE REGARDING CURRENT EXCHANGE REGULATIONS, SPECIFICALLY LAW NO. 4131, OF SEPTEMBER 03, 1962, AND SUBSEQUENT ALTERATIONS, PARTICULARLY ARTICLE 23 OF THAT LAW, AS FOLLOWS: “ART. 23 – EXCHANGE OPERATIONS ON THE FREELY NEGOTIATED EXCHANGE RATE MARKET WILL BE CARRIED OUT THROUGH INSTITUTIONS AUTHORIZED TO OPERATE IN EXCHANGE, WITH THE INTERMEDIATION OF AN OFFICIAL BROKER WHEN SUCH IS CALLED FOR BY THE LEGISLATION OR REGULATIONS, BOTH OF WHOM WILL BE ACCOUNTABLE FOR THE IDENTIFICATION OF THE CLIENT, AS WELL AS FOR CORRECT CLASSIFICATION OF THE INFORMATION PROVIDED BY THAT CLIENT, ACCORDING TO RULES SET DOWN BY THE SUPERINTENDENCY OF CURRENCY AND CREDIT.

PARAGRAPH 1 – THOSE OPERATIONS THAT ARE NOT CLEARLY COVERED BY SPECIFIC PARAGRAPHS OF THE CLASSIFICATION CODE ADOPTED BY SUMOC OR THAT ARE CLASSIFIED UNDER RESIDUAL HEADINGS, SUCH AS “OTHERS” AND “SUNDRY”, MAY ONLY BE CARRIED OUT THROUGH THE BANCO DO BRASIL S/A .

PARAGRAPH 2 – DECLARATION OF FALSE IDENTITY ON THE FORM WHICH WILL BE REQUIRED IN EACH OPERATION, IN A NUMBER OF COPIES AND ACCORDING TO A MODEL TO BE DETERMINED BY THE CENTRAL BANK OF BRAZIL, SIGNED BY THE CLIENT AND APPROVED BY THE BANKING INSTITUTION AND BROKER INTERMEDIATING THE OPERATION CONSTITUTES A VIOLATION FOR WHICH THE BANKING INSTITUTION, BROKER AND CLIENT ARE RESPONSIBLE, PUNISHABLE BY FINE EQUIVALENT TO FROM 50 (FIFTY) TO 300% (THREE HUNDRED PERCENT) OF THE VALUE OF THE OPERATION FOR EACH ONE OF THE VIOLATORS. (TEXT GIVEN BY ARTICLES 72 OF LAW NO. 9069, OF JUNE 29, 1995)

PARAGRAPH 3 – DECLARATION OF FALSE INFORMATION ON THE FORM REFERRED TO IN PARAGRAPH 2 CONSTITUTES A VIOLATION, FOR WHICH THE CLIENT WILL BE EXCLUSIVELY ACCOUNTABLE, PUNISHABLE BY A FINE FROM 5 (FIVE) TO 100% (ONE HUNDRED PERCENT) OF THE VALUE OF THE OPERATION. (TEXT GIVEN BY ARTICLE 72 OF LAW NO. 9069, OF JUNE 29, 1995)

PARAGRAPH 4 – IN THE FRAMEWORK OF THE RULES SET DOWN BY THE COUNCIL OF THE SUPERINTENDENCY OF CURRENCY AND CREDIT, INCORRECT CLASSIFICATION OF THE INFORMATION RENDERED BY THE CLIENT ON THE FORM REFERRED TO IN PARAGRAPH 2 OF THIS ARTICLE CONSTITUTES A VIOLATION, FOR WHICH THE BANKING INSTITUTION AND THE BROKER INTERVENING IN THE OPERATION ARE ACCOUNTABLE, PUNISHABLE BY FINE EQUIVALENT TO FROM 5 (FIVE) TO 100% (ONE HUNDRED PERCENT) OF THE RESPECTIVE VALUE FOR EACH ONE OF THE VIOLATORS.

PARAGRAPH 5 – IN THE CASE OF REPETITION, THE COUNCIL OF THE SUPERINTENDENCY OF CURRENCY AND CREDIT MAY CANCEL AUTHORIZATION TO OPERATE IN EXCHANGE OF THOSE BANKING INSTITUTIONS THAT HAVE BEEN NEGLIGENT WITH REGARD TO COMPLIANCE WITH THE PROVISION IN THIS ARTICLE AND PROPOSE TO THE PROPER AUTHORITY THAT THE SAME MEASURE BE APPLIED TO THE BROKERS INVOLVED.

PARAGRAPH 6 – THE TEXT OF THIS ARTICLE WILL NECESSARILY BE INCLUDED IN THE FORM REFERRED TO IN PARAGRAPH 2.

PARAGRAPH 7 – THE USE OF THE FORM REFERRED TO IN PARAGRAPH 2 OF THIS ARTICLE IS NOT OBLIGATORY IN OPERATIONS OF PURCHASES OR SALES OF FOREIGN CURRENCY UP TO US\$3,000.00 (THREE THOUSAND UNITED STATES DOLLARS) OR ITS EQUIVALENT AMOUNT IN OTHER CURRENCIES.’ (TEXT GIVEN BY ARTICLE 4 OF PROVISORY ACT 315 (MEDIDA PROVISORIA 315), OF AUGUST 03, 2006)

FOR THE BUYER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION “DIGITALLY SIGNED EXCHANGE CONTRACT”, IN THE CASE OF A DIGITAL

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 9 - Form of type 9 purchase foreign exchange contract

SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).
--

FOR THE SELLER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).

FOR THE BROKER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 10 - Form of type 10 sale foreign exchange contract

PURCHASE EXCHANGE CONTRACT - TYPE 10
CANCELLATION

No. / DATED / / PG. No. 01

THE PARTIES DESIGNATED BELOW, THE SELLER AND BUYER RESPECTIVELY, HEREBY CONTRACT THIS EXCHANGE OPERATION ACCORDING TO THE STATED CONDITIONS.

SELLER:

CNPJ:

ADDRESS:

BUYER:

CNPJ:

ADDRESS:

CURRENCY:

EXCHANGE RATE:

CANCELLED VALUE IN FOREIGN CURRENCY:

CANCELLED VALUE IN NATIONAL CURRENCY:

CONTRACTUAL CLAUSES:

OTHER SPECIFICATIONS:

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 10 - Form of type 10 sale foreign exchange contract

PURCHASED EXCHANGE CONTRACT – TYPE 10
CANCELLATION

No. / DATED / / PG. No. 02

THE INTERVENING PARTIES IN THIS EXCHANGE CONTRACT – BUYER, SELLER AND BROKER – HEREBY DECLARE THAT THEY ARE FULLY KNOWLEDGEABLE REGARDING CURRENT EXCHANGE REGULATIONS, SPECIFICALLY LAW NO. 4131, OF SEPTEMBER 03, 1962, AND SUBSEQUENT ALTERATIONS, PARTICULARLY ARTICLE 23 OF THAT LAW, AS FOLLOWS: “ART. 23 – EXCHANGE OPERATIONS ON THE FREELY NEGOTIATED EXCHANGE RATE MARKET WILL BE CARRIED OUT THROUGH INSTITUTIONS AUTHORIZED TO OPERATE IN EXCHANGE, WITH THE INTERMEDIATION OF AN OFFICIAL BROKER WHEN SUCH IS CALLED FOR BY THE LEGISLATION OR REGULATIONS, BOTH OF WHOM WILL BE ACCOUNTABLE FOR THE IDENTIFICATION OF THE CLIENT, AS WELL AS FOR CORRECT CLASSIFICATION OF THE INFORMATION PROVIDED BY THAT CLIENT, ACCORDING TO RULES SET DOWN BY THE SUPERINTENDENCY OF CURRENCY AND CREDIT.

PARAGRAPH 1 – THOSE OPERATIONS THAT ARE NOT CLEARLY COVERED BY SPECIFIC PARAGRAPHS OF THE CLASSIFICATION CODE ADOPTED BY SUMOC OR THAT ARE CLASSIFIED UNDER RESIDUAL HEADINGS, SUCH AS “OTHERS” AND “SUNDRY”, MAY ONLY BE CARRIED OUT THROUGH THE BANCO DO BRASIL S/A .

PARAGRAPH 2 – DECLARATION OF FALSE IDENTITY ON THE FORM WHICH WILL BE REQUIRED IN EACH OPERATION, IN A NUMBER OF COPIES AND ACCORDING TO A MODEL TO BE DETERMINED BY THE CENTRAL BANK OF BRAZIL, SIGNED BY THE CLIENT AND APPROVED BY THE BANKING INSTITUTION AND BROKER INTERMEDIATING THE OPERATION CONSTITUTES A VIOLATION FOR WHICH THE BANKING INSTITUTION, BROKER AND CLIENT ARE RESPONSIBLE, PUNISHABLE BY FINE EQUIVALENT TO FROM 50 (FIFTY) TO 300% (THREE HUNDRED PERCENT) OF THE VALUE OF THE OPERATION FOR EACH ONE OF THE VIOLATORS. (TEXT GIVEN BY ARTICLES 72 OF LAW NO. 9069, OF JUNE 29, 1995)

PARAGRAPH 3 – DECLARATION OF FALSE INFORMATION ON THE FORM REFERRED TO IN PARAGRAPH 2 CONSTITUTES A VIOLATION, FOR WHICH THE CLIENT WILL BE EXCLUSIVELY ACCOUNTABLE, PUNISHABLE BY A FINE FROM 5 (FIVE) TO 100% (ONE HUNDRED PERCENT) OF THE VALUE OF THE OPERATION. (TEXT GIVEN BY ARTICLE 72 OF LAW NO. 9069, OF JUNE 29, 1995)

PARAGRAPH 4 – IN THE FRAMEWORK OF THE RULES SET DOWN BY THE COUNCIL OF THE SUPERINTENDENCY OF CURRENCY AND CREDIT, INCORRECT CLASSIFICATION OF THE INFORMATION RENDERED BY THE CLIENT ON THE FORM REFERRED TO IN PARAGRAPH 2 OF THIS ARTICLE CONSTITUTES A VIOLATION, FOR WHICH THE BANKING INSTITUTION AND THE BROKER INTERVENING IN THE OPERATION ARE ACCOUNTABLE, PUNISHABLE BY FINE EQUIVALENT TO FROM 5 (FIVE) TO 100% (ONE HUNDRED PERCENT) OF THE RESPECTIVE VALUE FOR EACH ONE OF THE VIOLATORS.

PARAGRAPH 5 – IN THE CASE OF REPETITION, THE COUNCIL OF THE SUPERINTENDENCY OF CURRENCY AND CREDIT MAY CANCEL AUTHORIZATION TO OPERATE IN EXCHANGE OF THOSE BANKING INSTITUTIONS THAT HAVE BEEN NEGLIGENT WITH REGARD TO COMPLIANCE WITH THE PROVISION IN THIS ARTICLE AND PROPOSE TO THE PROPER AUTHORITY THAT THE SAME MEASURE BE APPLIED TO THE BROKERS INVOLVED.

PARAGRAPH 6 – THE TEXT OF THIS ARTICLE WILL NECESSARILY BE INCLUDED IN THE FORM REFERRED TO IN PARAGRAPH 2.

PARAGRAPH 7 – THE USE OF THE FORM REFERRED TO IN PARAGRAPH 2 OF THIS ARTICLE IS NOT OBLIGATORY IN OPERATIONS OF PURCHASES OR SALES OF FOREIGN CURRENCY UP TO US\$3,000.00 (THREE THOUSAND UNITED STATES DOLLARS) OR ITS EQUIVALENT AMOUNT IN OTHER CURRENCIES.’ (TEXT GIVEN BY ARTICLE 4 OF PROVISORY ACT 315 (MEDIDA PROVISORIA 315), OF AUGUST 03, 2006)

FOR THE SELLER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION “DIGITALLY SIGNED EXCHANGE CONTRACT”, IN THE CASE OF A DIGITAL

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 10 - Form of type 10 sale foreign exchange contract

SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).
--

FOR THE BUYER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).
--

FOR THE BROKER: NAME, CPF AND AUTHORIZED MANUAL SIGNATURE OR THE EXPRESSION "DIGITALLY SIGNED EXCHANGE CONTRACT", IN THE CASE OF A DIGITAL SIGNATURE IN THE FRAMEWORK OF THE PUBLIC KEYS INFRASTRUCTURE (ICP-BRAZIL).

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 11 - (Revoked) Circular no. 3545/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 12 - Financial Charge – form of communication to the company liquidator

Location and date:

To:

Mr/Ms. _____

Administrator of the bankrupt estate of the company_____

Dear Sir:

We refer to purchase contract(s) exchange no _____, dated ____ / ____ / ____, formalized between this bank and the company _____, the terms of which were not honored thus leading to cancellation/write-off of the same according to the terms of pertinent regulations.

2.I hereby notify as to the existence of a debt in the name of that company, referring to the financial charge cited in article 12 of Law no. 7738, of March 09, 1989, generated as a result of cancellation/write-off of the mentioned contract(s).

3.The amount to be deposited is R\$ _____ () due on ____ / ____ / ____ (date of cancellation/write-off), calculated according to the provisions of title 1, chapter 3, section 7 of the International Capital and Exchange Market Regulations, notified by the Central Bank of Brazil.

4.In keeping with the terms of § 1 of article 12 of Law no. 7738, of March 09, 1989, payment of the cited charge must be made to this bank.

Cordially,

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 13 - Financial Charge - form of collection from a bank under intervention or liquidation

Location and date

To:
(name of company)

Dear Sirs:

We refer to purchase contract(s) exchange, no _____, dated ____ / ____ / ____, formalized between this bank and the company _____, the terms of which were not honored thus leading to cancellation/write-off of the same according to the terms of pertinent regulations.

2. In this regard, I hereby notify as to the existence of a debt in the name of that company, referring to the financial charge cited in article 12 of Law no. 7738, of March 09, 1989, generated as a result of cancellation/write-off of the mentioned contract(s).

3. The amount to be deposited is R\$ _____ (_____) due on ____ / ____ / ____ (date of cancellation/write-off), calculated according to the provisions of title 1, chapter 3, section 7 of the International Capital and Exchange Market Regulations, notified by the Central Bank of Brazil.

4. In keeping with the terms of the provision in § 1 of article 12 of Law no. 7738, of March 09, 1989, payment of the cited charge must be made to this bank. Should it be impossible to effect a payment to the bank, the charge should be deposited directly in the Central Bank of Brazil.

5. Finally, we would stress that, as of the second business day from the date of cancellation/write-off of the cited contracts, interest on arrears will be charged according to the regulations in effect and the debt in question is subject to inclusion in federal government credits subject to judicial decision.

Cordially,

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 14 - Form of communication from the bank under intervention or extra-judicial liquidation

Location and date

To:

Mr. _____

Administrator of the bankrupt estate of the company_____

Dear Sirs:

We refer to purchase contract(s) exchange no ____, dated ____ / ____ / ____, formalized between this bank and the company _____, the terms of which were not honored thus leading to cancellation/write-off of the same according to the terms of pertinent regulations.

2.I hereby notify as to the existence of a debt in the name of that company, referring to the financial charge cited in article 12 of Law no. 7738, of March 09, 1989, generated as a result of cancellation/write-off of the mentioned contract(s).

3.The amount to be deposited is R\$ _____ () due on ____ / ____ / ____ (date of cancellation/write-off), calculated according to the provisions of title 1, chapter 3, section 7 of the International Capital and Exchange Market Regulations, notified by the Central Bank of Brazil.

4.In keeping with the terms of the provision in § 1 of article 12 of Law no. 7738, of March 09, 1989, payment of the cited charge must be made to this bank. Should it be impossible to effect payment to that bank, the charge should be deposited directly in the Central Bank of Brazil.

Cordially,

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION
TITLE : 1 - Foreign Exchange Market
APPENDIX : 15 - Brazil/Hungary Adjustment - Form of letter submitting the summary and assessment of net values to be paid and/or received
To

CENTRAL BANK OF BRAZIL
EXTERNAL DEBT AND
INTERNATIONAL
RELATIONS DEPARTMENT (DERIN)

Location	Date	Request no.	No. of appendices

BRAZIL/HUNGARY ARRANGEMENT
Reimbursement of Transactions

Below, we indicate the operations on this date corresponding to reimbursements of transactions with this Central Bank of Brazil under the terms of the Brazil/Hungary Arrangement

IN THE BENEFIT OF THIS BANK

1	Reimbursements, according to the appended requests no.	US\$
---	--	------

IN THE BENEFIT OF THE CENTRAL BANK OF BRAZIL

2	Reimbursements for debts abroad referring to the appended Reimbursement Declarations no.	US\$
3	Refund of undue reimbursement to this Central Bank according to...	US\$
4	Interest and expenses due to this Central Bank	US\$
5	Total (1 + 2)	US\$

NET AMOUNT TO BE REIMBURSED

6	Amount that we requested be transferred to our credit at (banker), in locality , on (date) (1 – 5)	US\$
7	Amount that we will credit to you at (banker), in New York, on (date), through (payee bank abroad) (5 - 1)	US\$

*identification and signature
of authorized representative
of the bank*

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION
TITLE : 1 - Foreign Exchange Market
APPENDIX : 16 - Brazil/Hungary Adjustment - Form of reimbursement statement due to the Central Bank of Brazil related to operations of foreign exchange sale

To
CENTRAL BANK OF BRAZIL
EXTERNAL DEBT AND INTERNATIONAL
RELATIONS DEPARTMENT (DERIN)

Institution name	locality
Declaration number	date

BRAZIL/HUNGARY ARRANGEMENT
Reimbursement of Transactions

We hereby declare that, on this date, we are taking measures to see to Central Bank of Brazil reimbursement in United States dollars of the following operations related to exchange sales carried out by this bank under the terms of the Brazil/Hungary Arrangement.

payment instrument		Value of reimbursement due (in US\$)	Exchange operation data		Reference date
type (*)	number indicated to Exterbank for reimbursement to Central Bank		date	number	
Total					

(*) type: CC – credit card CD – documentary credit and charging LA – guaranteed bill OP – payment order GN – nominal check	<i>identification and signature of an authorized representative of the bank</i>
---	---

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION
TITLE : 1 - Foreign Exchange Market
APPENDIX : 17 - Brazil/Hungary Adjustment - Form of request for reimbursement
**To
CENTRAL BANK OF BRAZIL**
**BRAZIL/HUNGARY ARRANGEMENT
Reimbursement Request**

accounting entry
*(space to be completed
by the Central Bank)*

Reimbursement Request
Name and locality of payee institution (Brazilian bank)

No.	Date		
We hereby request reimbursement in United States dollars of the amount corresponding to the operations below.			

Data on banker abroad					US\$	Notes
ref. (*)	number indicated for reimbursement	issue date	name	locality		
Total						

(*) type: CC – credit card CD – documentary credit and charging GN – nominal check LA – guaranteed bill OP – payment order CG – commissions and expenses	We hereby append copies of the corroboratory documents in support of this request <div style="text-align: center; padding-top: 20px;"> <i>identification and signature of an authorized representative of the bank</i> </div>
--	--

1st copy - DECIC/GTSP2 or DECIC/GTRJA
Two copies of this request must be printed as follows:
1st copy: as per model
2nd copy: remove the space “accounting entry” and alter the expression “1st copy – DERIN” to “2nd copy – requesting bank”.
Note: in the case of a letter of credit, the documentary credit/charging or guaranteed bill, the column referring to date of issue should not be completed.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 18 - CCR - Form of letter for admission to the Agreement

location and date

To

Central Bank of Brazil

Department of External Debt and International Relations - Derin

Division of Monitoring Systems for International Settlements – DISIP

Brasilia - DF

ALADI – Adhesion to Reciprocal Payments and Credit Agreement - CCR

Dear Sirs:

We hereby request our inclusion in the list of Brazilian banks authorized to issue letters of credit, grant guarantees in bills referring to commercial operations, issue or guarantee promissory notes related to commercial operations, under the terms of the Reciprocal Payment and Credit Agreement - CCR, signed within the framework of the Latin American Integration - ALADI, among central banks signed on August 25, 1982, and subsequent amendments.

2. On submitting this request, we hereby agree to the following conditions:

I - the operations to be processed through the aforementioned Agreement will comply with the rules stated in chapter 17 of title 1 of the International Capital and Exchange Market Regulations - RMCCI and with the provisions that may come to replace them or complete them during the validity of the authorization herein requested, without detriment to the supply of additional information that may be deemed necessary, at the discretion of the Central Bank of Brazil;

II - possible differences or discrepancies in the execution of such payment instruments will be adjusted between this institution and the respective bankers, with due consideration to the "Uniform Rules and Uses Related to Documentary Credits (in effect)", issued by the International Chamber of Commerce, and will not generate any responsibility whatsoever on the part of this Central Bank of Brazil.

3. We hereby commit ourselves irrevocably to effect deposit in the Central Bank of Brazil of the amounts in United States dollars corresponding to the following, in the manner and at the time determined:

I - payments effected abroad through letters of credit issued by us under the terms of the Agreement, even in cases of payments made without regular compliance with the conditions of the cited credit;

II - payments effected abroad through any other documents that issued or guaranteed by us under the terms of the Agreement;

III - any amounts previously reimbursed to this Bank as a result of operations processed under the terms of the CCR, in which payment effected by us in the country is refused abroad;

IV - interest due on refunds of reimbursements, as referred to in the previous line, or on arrears, for which this institution is responsible, according to the terms of the provisions that regulate the question, at the time of deposit to the Central Bank of Brazil.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 18 - CCR - Form of letter for admission to the Agreement

V - debt issued in any capacity, that are registered in the System SiCap/Aladi by the central bank of exporter's financial institution on behalf of the of instruments issued or endorsed by us, and the interest derived there from, and commit ourselves to resolve any disputes directly with the financial institution of the exporter.

4. This Central Bank of Brazil is hereby authorized to debit the amounts cited in the previous paragraph and not honored by this institution against our Daily Summary, together with amounts referring to administrative fees levied on the respective operations.

5. Otherwise, it is hereby understood that:

I - the total value of the instruments issued or guaranteed under the terms of the authorization requested herein, when considered as a whole, shall not surpass the limit attributed to us for this purpose by the Central Bank of Brazil, control of this limit being the exclusive responsibility of this institution:

II - violation of the rules governing the operation of the CCR shall subject the violator to sanctions and other measures.

6. Finally, in relation to payments that may come to be implemented under the terms of the Agreement treated of herein, it is hereby agreed that, unless contrary notification is given by the Central Bank of Brazil, we will be able to effect such payments without the need for prior approval, in the understanding that reimbursement of the amount of the payments in United States dollars will be readily granted to us, provided that the requirements of such operations be compatible with the instructions issued by the Central Bank of Brazil.

Sincerely,

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 20 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 22 - (Revoked) Circular no. 3530/2011

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

APPENDIX : 23 - CCR - Form of communication on "triangular operation"

location and date

To
CENTRAL BANK OF BRAZIL
Department of External Debt and International Relations - Derin
Division of Monitoring Systems for International Settlements – DISIP
Brasília – DF

CCR - NOTIFICATION OF ISSUE OF LETTER OF
CREDIT OR DOCUMENTARY CREDIT REFERRING
TO "TRIANGULAR OPERATION"

Dear Sirs:

We hereby notify as to issue of a letter of credit or documentary credit to be processed through the Reciprocal Payment and Credit Agreement - CCR, referring to payments of Brazilian imports in which the exporter is resident in a signatory country and the merchandise, previously acquired by the exporter as demonstrated by documentation in our possession, originated in a third signatory country, as stated in the data below:

- I. reimbursement code in CCR;
- II. bank code/issuer institution locality;
- III. principal value;
- IV. interest value or rate;
- V. date of issue of letter of credit;
- VI. financing period as determined in letter of credit;
- VII. country of origin of merchandise;
- VIII. merchandise;
- IX. exporter;
- X. country of exporter;
- XI. importer name;
- XII. date of pro forma invoice or LI number;*

** a new notification to the Central Bank of Brazil (DERIN/DIACO) is dispensed with should a substitute LI be issued altering the validity period for shipment.*

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE: 2 - Brazilian Capital Abroad

Title Index

CHAPTER	NUMBER
General Provisions	1
Available Resources Abroad	2
Brazilian Investments Abroad	3
Direct Investment – 1	
Portfolio Investment - 2	
Hedge	4

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 2 - Brazilian Capital Abroad

CHAPTER : 1 - General Provisions

1. The financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market, may conduct by the use of banks authorized to operate in the foreign exchange market, transfers abroad in national currency or foreign currency of interest to individuals or corporate entities resident, domiciled or headquartered in Brazil, obeying the specific dispositions of each chapter for purposes of investment in the modalities dealt with in this title.
2. The following provisions also apply to the transfers mentioned on the previous paragraph:
 - a) the transfers of funds for investments abroad by financial institutions and other institutions authorized to operate by the Central Bank of Brazil must observe specific regulation;
 - b) investment funds may perform transfers related to its investments abroad, to and from other countries, observed the regulations issued by Brazilian Securities and Exchange Commission and the foreign exchange rules issued by the Central Bank of Brazil;
 - c) the transfers of funds for investments abroad by supplementary welfare entities must observe specific regulation.
3. Payments and receptions in national currency referring to operations dealt with in this title must be made through current account operations in the country in the name of individuals or corporate entities resident, domiciled or headquartered abroad, when such accounts are maintained and operated under the terms of the legislation and regulations currently in effect.
4. Individuals and legal entities resident, domiciled or headquartered in Brazil that have assets of any nature, currency assets, goods and rights outside the national territory must declare such to the Central Bank of Brazil in the manner, at intervals and under conditions to be determined by that institution.
5. Resources transferred abroad as investments, as well as the earnings on such investments generated abroad, may be reinvested, including other assets, provided that the finalities permitted in the pertinent regulations be observed.
6. Without detriment to the regulations in effect on this question, investors resident, domiciled or headquartered in the country must maintain the documents supporting remittances made at the disposal of the Central Bank of Brazil for a period of 5 (five) years, observing all due legal formalities and perfect identification of all signatories.
7. The operations dealt with under this title must be carried out on the basis of documents that demonstrate the legality and economic foundations of the operation, while observing all applicable tax-related aspects, in which case the intervening institution will be responsible for verifying full compliance with these conditions, maintaining the respective documentation on file in the dossier of the operation as determined in current regulations.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 2 - Brazilian Capital Abroad

CHAPTER : 2 - Available Resources Abroad

1. Financial institutions and the other institutions authorized to operate by the Central Bank of Brazil, authorized to operate in the foreign exchange market may, through banks authorized to operate in the foreign exchange market, make transfers abroad for individuals or corporate entities, resident, domiciled or headquartered in the country for purposes of constituting available resources abroad.
2. For purposes of the provisions in this chapter, "available resources abroad" signifies the holding of resources in an account by individuals or corporate entities resident, domiciled or headquartered in the country in one's own name in a financial institution abroad.
3. When such transfers are made for purposes of constituting available resources abroad, the number of the account and the name of the depository institution abroad must be stated in the space "Other specifications" on the exchange contract.
4. The amount of foreign currency derived from Brazilian goods and services exported by natural and juristic persons and kept abroad, can be used only for investments, financial applications or payment of the exporter's own obligations. The granting of loans or mutual operations of any nature is prohibited.
5. The declaration to the Federal Revenue Secretary concerning the funds mentioned in the previous item must comply with specific regulation. (NR)
6. The Banks authorized to operate in the foreign exchange market may invest their funds available abroad, taken into account:
 - a) the institution's foreign exchange position;
 - b) the balance of the current account in foreign exchange kept in Brazil, being such account open and operating in compliance with the legislation and regulation in effect;
 - c) other funds available abroad in current accounts of the same institution, including those received as payment deriving from Brazilian exports.
7. The investments dealt with in the previous item are limited to the following modalities:
 - a) bonds issued by the Brazilian government;
 - b) bonds issued by foreign countries;
 - c) bonds issued by or of responsibility of financial institution;
 - d) time deposits in a financial institution. (NR)
8. Regarding the investments mentioned in items 6 and 7 above, the banks must distribute its funds, so as to allow, cumulatively, to meet its commitments, to attend clients interests, to mitigate risks and to manager assets adequately. (NR)

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 2 - Brazilian Capital Abroad
CHAPTER : 3 - Brazilian Investments Abroad
SECTION : 1 - Direct Investment

1. For purposes of the provision in this section, Brazilian direct investments abroad are understood as direct or indirect participation of individuals or corporate entities resident, domiciled or headquartered in the country, in companies constituted outside Brazil.
2. The financial institutions and other institutions authorized to operate in the country by the Central Bank of Brazil, authorized to operate in the foreign exchange market, may conduct by the use of banks authorized to operate in the foreign exchange market, transfers of resources for purposes of installation of offices outside the country and direct or indirect stock participation abroad of interest to institutions authorized to operate by the Central Bank of Brazil, under the following conditions:
 - a) through authorization of the Department of Financial System Organization (Deorf), in the case of offices outside the country or direct or indirect stock participation in financial institutions or similar institutions abroad;
 - b) through presentation of the respective documentation, in cases involving stock participation in companies abroad not cited under line "a" of this paragraph.
3. (Revoked) Circular no. 3525/2011
4. When investments are made through international conferences of stocks or other assets, simultaneous exchange operations involving the inflow of external investments to the country and outflow of Brazilian investments abroad will be required without issue of payment orders with immediate and simultaneous settlement in a single bank.
5. International conferences of stocks or other assets are understood as payment-in-full of the capital of a Brazilian company effected by individuals or corporate entities resident, domiciled or headquartered abroad, through payment-in-kind or exchanges of stock participation held in a foreign company headquartered abroad, or payment-in-full of the capital of a foreign company headquartered abroad, effected through payment-in-kind or exchanges of stock participation in a Brazilian company by individuals or corporate entities resident, domiciled or headquartered in the country.
6. In the case foreseen in paragraph 5 of this section, operations that may be characterized as reciprocal stock holdings between national and foreign companies are not permitted.
7. The value of the simultaneous exchange operations related to international conferences of stocks or other assets are limited to the value of the asset assessment report elaborated by a company recognized by the Securities and Exchange Commission - CVM, calculated reciprocally through utilization of the same method.
8. Aside from the documentation that corroborates the legality and economic fundamentals of the operation, corporate entities that effect remittances with the objective of constituting direct investments abroad in financial institutions must present a declaration to the intervening institution that they do not perform financial activities in the country, are not controlled by an institution authorized to operate by the Central Bank of Brazil and that they do not have direct or indirect control of a National Financial System member institution, which has investments abroad that must comply with the criteria foreseen in specific regulations.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 2 - Brazilian Capital Abroad
CHAPTER : 3 - Brazilian Investments Abroad
SECTION : 2 - Portfolio Investment (NR)

1. Transfers in national or foreign currency to and from abroad related to investments abroad by investment funds must comply with the limits and other regulations issued by the Securities and Exchange Commission according to its prerogatives.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 2 - Brazilian Capital Abroad

CHAPTER : 4 - Hedge (NR)

-
1. This chapter deals with hedge operations negotiated with financial institutions abroad at exchanges or the over-the-counter market, according to the terms of National Monetary Council Resolution no. 3312, of August 31, 2005, with the text introduced by Resolution no. 3318, of September 29, 2005.
 2. Financial transfers to and from abroad resulting from operations for purposes of hedging liabilities of a commercial or financial nature subject to international market risks of alterations in interest rates, parities among foreign currencies or merchandise prices may be carried out by individuals or corporate entities resident, domiciled or headquartered in the country in banks authorized to operate on the exchange market.
 3. Duly observing the risks of variation foreseen in item 2, any modality of hedge operation regularly practiced on the international market and offered by financial institutions abroad or by foreign exchanges may be utilized.
 4. Among the rights and obligations referred to in item 2 are included payments and receptions:
 - a) in national currency resulting from transfers of obligations contracted in foreign currency;
 - b) related to imports, exports or internal market negotiation of the merchandise when the prices of such are established on the basis of the price quotes of exchanges abroad;
 - c) operations on commodities and futures exchanges in the country;
 - d) exposures assumed with their clients in the country by banks authorized to operate on the exchange market, provided that such be linked to rights or obligations that can be hedged abroad according to the terms of this chapter.
 5. The provision in this chapter does not apply to operations carried out by investment funds of any type, including those characterized as clients, which are subject to specific regulations.
 6. The bank intervening in the exchange operation formalized for purposes of payment or reception of amounts consequent upon obligations and rights related to hedge operations must comply with the parameters in effect on the international market for similar operations and must be fully certain of the legality and legitimacy of the operation on the basis of evaluation:
 - a) of the documentation submitted by the client; or
 - b) of the qualifications of the client in terms of profile, performance and the financial capacity.
 7. Financial transfers may also be made for purposes of hedging variations in exchange rates and parities among foreign currencies:
 - a) when such transfers are to be used in constituting escrow account deposits;
 - b) when such transfers are required for purposes of hedging external resources to be disbursed in the future.
 8. For purposes of the operations foreseen in this chapter, remittances with the objective of opening current accounts at brokers abroad and making deposits of guarantee margins are permitted, together with financing of such margins by banks authorized to operate in exchange through utilization of external credit lines.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE: 3 - Foreign Capital in Brazil

Title Index

CHAPTER	NUMBER
General Provisions	1
Foreign Direct Investment	2
General Provisions - 1	
Investment Registration - 2	
Investment in currency and in goods - 1	
Conversion into investment - 2	
Yields earned by a non-resident investor in receiving companies in Brazil - 3	
Alienation to nationals, reduction of capital for restitution to a shareholder or net collection resulting from the liquidation of a receiving company - 4	
Reinvestment Registration - 3	
Corporate reorganization, Exchange and conference of shares or quotas - 4	
Remittances abroad of Profits and Dividends, Interest of Equity Capital and Return of Capital - 5	
Financial Operations	3
General Provisions - 1	
Foreign Credits - 2	
Foreign Loan - 1	
(Revoked) Circular No. 3580/2012	
Advance receipt of export, with maturity over 360 days (NR) - 2.A	
Foreign Financing - 3	
Foreign Financial Leasing - leasing - 4	
Import of merchandise, without issue of payment order to non-resident, for the integralization of capital - 5	
Guarantees Provided by International Institutions - 3	
Royalties, Technical Services and similar, Foreign Operating Leasing, Renting and freightage - 4	
Royalties, technical services and similar - 1	
Foreign operating Leasing, renting and freightage - 2	
Capital in Domestic Currency - Law no. 11371, of 2006	4

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 1 - General Provisions

1. This title deals with the rules and procedures relating to the registration of foreign capital in Brazil, according to Resolution no. 3844, of March 23, 2010.
 2. The provisions in this title apply to foreign capital entered or existing in Brazil, in cash or in goods, and to the financial transactions with abroad resulting there from, relating to the following operations:
 - a) foreign direct investment;
 - b) foreign credit, including foreign financial leasing, foreign loans gathered directly or through placement of bonds, early reception of export proceeds and foreign financing;
 - c) royalties, technical services and similar, foreign operating leasing, renting and freightage;
 - d) guarantees provided by international organizations in internal credit operations;
 - e) capital in domestic currency, in accordance with Law no. 11371, of November 28, 2006.
 3. Subject to compliance with the standards contained in title 1 of this Regulation and specific legislation, financial transfers to and from abroad, in national currency or in foreign currency on the foreign capital in Brazil should follow the form and conditions set forth in this title.
 4. The financial transfers abroad may be made in any currency, regardless of the currency in which the record is held at the Central Bank of Brazil.
 5. The registration dealt with in this title is made in a declaratory and electronically form in the corresponding modules of the Electronic Statement Registration- RDE, with the Central Bank Information System - Sisbacen in the foreign currency in which the funds actually entered into Brazil or, in situations under the laws in force, in domestic currency.
 6. For purposes of this title, registration means the entry of information necessary to the identification of the parties and the individual characterization of the transactions relating to foreign capital invested in Brazil.
 7. The registration shall be made within thirty (30) days from the date of the event which originated it, in compliance with the rules in this title.
 8. Those responsible for the registration, defined in the respective chapters of this title, shall make available to Central Bank of Brazil, updated and in order, the supporting documentation of all information reported in the RDE, with the perfect identification of their signatories, until the expiry of the term of five (5) years, counted from the end of the participation in the share capital of the receiving legal entity, in the case of foreign direct investment, or the completion of the operation, in other cases.
 9. The RDE number and the updating of the information contained in the registration are requirements for any fund transactions with abroad.
 10. The conditions previous to the registration with the RDE modules are the following:
 - a) the accreditation with Sisbacen according to the instructions on the page of the Central Bank of Brazil on the Internet (www.bcb.gov.br); and
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 1 - General Provisions

- b) the provision of information of the parties, residents and non residents involved in the operation and their representatives in the Registry of Physical Persons and Legal Entities - International Capital (Cademp) through the use of PEMP500 and PEMP600 transactions of Sisbacen, as per instructions contained in "Cademp – Manual do Declarante", available at www.bcb.gov.br >> Câmbio e Capitais Estrangeiros >> Manuais
11. The registration information of the holders of registrations and their representatives must be kept updated in the Cademp system, directly by the user or through a request to the Department of Financial System Surveillance and Information Management - Desig.
 12. For purposes of the registration referred to in this title, the following shall be subject to simultaneous operations of exchange or international transfers in reals, without actual delivery of resources and regardless of prior authorization of Central Bank of Brazil:
 - a) conversion of assets of non-residents in Brazil in the form of foreign capital registrable in Central Bank of Brazil;
 - b) transfers between modalities of foreign capital registered with Central Bank of Brazil; and
 - c) renewal / renegotiation and assumption of obligations of operating a foreign loan, subject to registration with the Central Bank of Brazil, contracted directly or through issuing bonds in international markets. (NR)
 13. The completion of the registration referred to in this title does not exempt those responsible from complying with the laws and regulations applicable to the transactions registered, including those derived from taxation.
 14. Those responsible for the registration shall inform to Central Bank of Brazil, directly in the RDE system, the settlement of payments, directly abroad, of a foreign obligation relating to any transaction registered under this title.
 15. Failure to comply with this title implies the prohibition of financial transfers supported by the registration, while the irregularities are not remedied, without prejudice to the imposition of penalties under the law or regulations.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 1 - General Provisions

1. This chapter provides for the registration of foreign direct investment in Brazil, in domestic or foreign currency, made in a declaratory and electronically form with Central Bank of Brazil, based in Regulation in Annex I to Resolution no. 3844, of March 23, 2010.
2. The registration mentioned in this chapter, upon the compliance with the applicable law and regulations in effect, must be done in the Foreign Direct Investment - IED module of the Electronic Declaratory Registration - RDE of Central Bank Information System (Sisbacen), comprising the situations envisaged in the specific sections.
3. For purposes of this chapter, the following definitions are adopted:
 - a) non-resident investor: natural person, juristic person or collective investment entity residing, being domiciled or headquartered abroad, which either participates, or intends to participate in the share capital of a company in Brazil;
 - b) receiving company: juristic person incorporated under Brazilian laws, domiciled and with management within Brazil, in which share capital the non-resident investor owns or intends to own participation, as well as the office of a foreign company authorized to operate in Brazil.
4. The receiving company and the representatives in Brazil of the non-resident investor, indicated in IED Module of the RDE are responsible for the registration.
5. The participation by non-resident investor in the share capital of the receiving company, paid up or acquired in accordance with the legislation in effect, and the share capital of a foreign company allowed to operate in Brazil, shall be registered as foreign direct investment.
6. The registration must be preceded by authorization of the Department of Financial System Organization (Deorf) for investment in the share capital of the financial institutions and other institutions authorized to operate by it.
7. The provisions of this chapter shall not apply to investments in financial and capital markets, from individuals and corporations, funds and other collective investment entities resident, domiciled or headquartered abroad, whose registration, made in a declaratory and electronic form follows the provisions of specific regulations and must be registered in the RDE Portfolio module.
8. The following are precedent conditions to the registration in the IED module of the RDE:
 - a) the accreditation with Sisbacen, according to instructions contained on the page of the Central Bank of Brazil on the internet (www.bcb.gov.br); and
 - b) the provision of information, of the receiving company, foreign investors and their representatives in the Registry of Physical Persons and Legal Entities - International Capital (Cademp) through the use of the PEMP500 and PEMP600 transactions of Sisbacen, as per instructions contained in "Cademp - Manual do Declarante" available at www.bcb.gov.br >> Câmbio e Capitais Estrangeiros >> Manuais.
9. The registration is made using the PRDE600 transaction of Sisbacen, being assigned a RDE-IED number, unique identifier for each pair consisting of foreign investors and their respective receiving company in Brazil, under which they are declared: the initial investment, its mutations, update of the net equity accounts of the receiving company and

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 1 - General Provisions

subsequent allocations, as per instructions contained in "RDE-IED Manual do Declarante", available at www.bcb.gov.br >> Câmbio e Capitais Estrangeiros >> Manuais

10. The conversions of assets in foreign direct investment and transfers to other modalities of application of foreign capital in Brazil for the modality object of this chapter and vice versa are subject to the simultaneous operations of foreign exchange or international transfers in reals, without issue of payment orders, regardless of prior authorization of Central Bank of Brazil.
11. For any financial transaction with abroad, the RDE-IED number must be informed on the foreign exchange contract or on the registration of the transaction in accounts domiciled abroad.
12. It is mandatory to register in the IED module of the RDE all corporate or contractual events which change the terms of foreign investors' shareholding.
13. The registration envisaged in this chapter is presented in the consolidated statement of investment of the IED module of the RDE, where the registered shares will be allocated separately on specific screens, according to the legal basis of the registration.
14. The payment, with funds held abroad, of profits and dividends, interest on equity capital and return on capital does not exempt the company's obligation to make the corresponding registrations in the IED module of the RDE, also indicating the allocation of resources for reception abroad.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 2 - Investment Registration

1. Registration shall be made on the investment item of the IED module of the RDE the participation of non-resident investor in the capital of the receiving company, paid up or acquired in the form of the legislation in effect, as well as the capital of a foreign company authorized to operate in Brazil, with values arising from:
 - a) Inflows of currency and goods to Brazil;
 - b) Conversion into investment;
 - c) Exchange of stock or shares;
 - d) Conference of stocks or shares;
 - e) Yields earned by a non-resident investor in receiving companies;
 - f) Alienation to nationals, reduction of capital for restitution to a shareholder or net collection resulting from the liquidation of the receiving company.
2. It should also be registered on the investment item of the IED module of the RDE, through a statement, the foreign capital invested in companies in Brazil, not yet registered and not otherwise subject to registration with Central Bank of Brazil, pursuant to the provisions of Chapter 4 of this title.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil
CHAPTER : 2 - Foreign Direct Investment
SECTION : 2 - Investment Registration
SUBSECTION : 1 - Investment in currency and goods

1. The registration of investment in currency is made based on the inflow of resources to Brazil through foreign exchange transaction or international transfer in reals according to the provisions of Title 1 of this Regulation.
2. Inflows made by non-resident shareholders in order to absorb losses do not change the registration of the foreign investor with the RDE-IED system, and the exchange operation shall be performed by using specific foreign exchange nature of operation code.
3. Residues of payment / purchase values are the unused values of inflows for foreign direct investment which correspond to a maximum of five percent (5%) of the original value of the foreign exchange contract, limited to the amount of ten thousand U.S. dollars (US\$10,000.00) or its equivalent in other currencies.
4. Remittances abroad of the residues referred to in item 3 of this subsection, and other values that entered by way of foreign direct investment and not capitalized up to the equivalent of ten thousand U.S. dollars (US\$10,000.00) may be carried regardless of prior authorization.
5. Foreign direct investment through the conference of a tangible or intangible asset, is characterized by the capitalization of the corresponding value of the assets owned by non-residents, imported without obligation of payment, to be registered in the Financial Operations Registration - ROF module, and the registration of such investment is made in the currency in the corresponding ROF, pursuant to the provisions of Chapter 3, Section 2, Subsection 5 of this title.
6. The registration of the investment described in item 5 of this Subsection shall be made within 30 (thirty) days from the date of customs clearance of the tangible good asset.
7. The corresponding value of the domestic currency, in the cases mentioned in Section 5 of this Subsection is calculated by applying the average exchange rate available on option 5 of the PTAX800 transaction of Sisbacen, valid for the day of the respective accounting fact.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil
CHAPTER : 2 - Foreign Direct Investment
SECTION : 2 - Investment Registration
SUBSECTION : 2 - Conversion into Investment

1. Conversion into foreign direct investment, for the purposes of this subsection, means the operation by which rights and claims which could generate financial transfers abroad, as well as property belonging to nonresidents, are used for acquisition, payment of participation or absorption of losses in a company in Brazil.
2. In the registration of the conversions provided for in this subsection, the following stages shall be complied with:
 - a) writing off in the ROF module of the RDE of the amount to be converted, in the cases of registered operations;
 - b) simultaneous exchange operations, without issue of payment ordered simultaneous entries of the international transfer in reals, through the use of foreign exchange codes of nature corresponding to the value to be converted and to the foreign direct investment, as well as the code of a specific group, and
 - c) inclusion, in the IED module of the RDE, of the corresponding operation.
3. Conversions to absorb accumulated losses do not change the registration value.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 2 - Investment Registration

SUBSECTION : 3 - Yields earned by non-resident investor in receiving companies in Brazil

-
1. Capitalizations and acquisitions using yields earned and not capitalized by non-resident investor in receiving companies in Brazil, from the distribution of profits or the payment of interest on share capital are registered under the investment item of the IED module of the RDE.
 2. The registration of the reinvestment of such earnings in any company in Brazil must be preceded by the completion of entry, with such allocation, in the registration of origin of earned earnings.
 3. The corresponding value in domestic currency of the registration envisaged in this subsection is calculated by applying the average exchange rate available on option 5 of the PTAX800 transaction of Sisbacen, valid for the day of paid up of the capital or the acquisition of the participation.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 2 - Investment Registration

SUBSECTION : 4 - Alienation to nationals, reduction of capital for restitution to shareholder or net collection resulting from a liquidation of a receiving company

1. Capitalizations and acquisitions with use of resources from the alienation to nationals, of reduction of capital for reimbursement to a partner or net collection resulting from the liquidation of a receiving company are registered under the investment item of IED module of the RDE.
2. The registration of reinvestment of such earnings in any company in Brazil must be preceded by the completion of entry, with such allocation, in the registration of origin of the events mentioned in item 1 of this Subsection.
3. The corresponding value in foreign currency of the registration envisaged in this subsection is calculated by applying the average exchange rate available on option 5 of the PTAX800 transaction of Sisbacen, valid for the day of pay up of the capital or the acquisition of the participation.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 3 - Reinvestment Registration

1. Capitalizations of profits, dividends, interest on equity capital and profit reserves in the receiving company in which they were produced are registered under the reinvestment item of the FDI module of the RDE.
2. The capitalization of capital and revaluation reserves does not change the registry value, reflecting only on investor's participation.
3. The registration of reinvestment is made in the currency of the country to which income could have been remitted, or in reals, observed the portion of the investment registered in domestic currency.
4. The corresponding value in foreign currency is calculated by applying the average exchange rate available on option 5 of the PTAX800 transaction of Sisbacen, valid for the day of the capitalization of profits, interest on capital and profit reserves.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 4 - Corporate reorganization, Exchange and conference of shares or quotas

1. For purposes of this sections it is understood as:
 - a) Corporate reorganization: the merger, incorporation or split of companies in Brazil, in which at least one of them has the participation of foreign capital registered with Central Bank of Brazil;
 - b) Exchange of shares or quotas in Brazil: the exchange of equity interests in Brazilian companies, with at least one receiving company of foreign direct investment registered with Central Bank of Brazil, carried out between resident and non-resident investors, or between non-resident investors;
 - c) Conference of shares or quotas in Brazil: the surrender of paid up shares or quotas from the capital of a company in Brazil, held by non-resident investor, for payment of capital subscribed by it to another receiving company in Brazil.
2. The registration of the fusion, incorporation or split provided for in this section shall be made in compliance with the provisions of corporate law.
3. In the registration of incorporation, the profits reserves and the accumulated profits, included in the equity balance sheet of the incorporated company, made for purposes of incorporation, are consigned under the reinvestment item of the respective registrations in the RDE-IED of the incorporating company.
4. The value of the reinvestment of each foreign investor as per item 3 of this Subsection shall, for purposes of registration, be proportionate to the paid-up capital of each foreign partner in the incorporated company, subject to item 4 of Section 3 of this Chapter.
5. The registration of the conference the exchange of shares or quotas in Brazil, involving foreign investments registered in the IED module of the RDE involves the transfer of amounts registered in the proportion of the participation traded.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 2 - Foreign Direct Investment

SECTION : 5 - Remittances abroad of profits and dividends, interest on equity capital and return of capital.

-
1. This section provides for the registration in the IED module of the RDE, of remittances abroad of profits and dividends, interest on equity capital and return of capital, related to foreign investment in Brazil.
 2. The remittance of profits to foreign investors, dividends and interest on capital should be preceded by the registration of their distribution in the IED RDE module.
 3. The remittance to a foreign investor regarding the return of investment by reducing capital for the restitution to a shareholder, or by alienation to nationals, shall be preceded by the respective registration in the IED module of the RDE.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 1 - General Provisions

1. The registration of foreign capital dealt with in this chapter shall be made in the Financial Operation Registration – ROF module of the Electronic Declaratory Registration– RDE of Central Bank of Brazil Information System (Sisbacen), comprising the situations mentioned in the specific sections.
 2. The conditions previous to the registration in the ROF module of the RDE are:
 - a) accreditation in Sisbacen according to the instructions on the page of the Central Bank of Brazil on the Internet (www.bcb.gov.br) and
 - b) the provision of information of the individual or juristic persons involved in the operation in the Registry of Physical Persons and Legal Entities - International Capital (Cademp) through the use of PEMP500 and PEMP600 transactions of Sisbacen, as per instructions contained in the "Cademp - Manual do Declarante ", available at www.bcb.gov.br>> Foreign Exchange and Foreign Capital>> Manuals.
 3. The registration of each transaction on the ROF module of the RDE should be provided prior to the inflow of financial resources, the customs clearance or the provision of services in Brazil, by the borrower or his representative, through the following Sisbacen transactions, as per instructions contained in the "RDE-ROF Declarant Manual", available at www.bcb.gov.br >> Câmbio e Capitais Estrangeiros >> Manuais.
 - a) PCEX370, when performed by the borrower or its representative, and such transaction may also be accessed through the Serpro Network, in which case the prior registration is required with the Internal Revenue Service of Brazil;
 - b) PCEX570, when made through the bank network, at the request and on behalf of the borrower;
 4. The number of RDE-ROF, in the situation "finalized" and the updating of the information in the registration are requirements for any flows of resources to abroad.
 5. After the inflow of resources, customs clearance or the rendering of the service, the borrower must make the registration of the payment schedule in the RDE module of the ROF, essential for remittances of principal and interest or to carry out the shipments of merchandise, as appropriate.
 6. The transactions must be registered in the currency and on the conditions contracted and separate records should be provided for transactions involving different currencies or different financial conditions, which should be linked to each other.
 7. Once the inflow of resources, customs clearance or the rendering of the service occur, the changes of maturity date and financial conditions (renewal, refinancing or renegotiation) and borrower (assumption) are the responsibility of the original borrower, who shall update them in the RDE module of the ROF, by means of the mechanism provided for this purpose, writing off in the original registration and making a new record.
 8. It is granted the early settlement of foreign obligations relating to the transactions referred to in this chapter.
 9. The validity of each ROF is sixty (60) days, after which, if there is no entry of merchandise, resources or the contracting of services, it will be automatically cancelled except in the cases specified in this chapter.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 1 - General Provisions

10. The transfer of resources abroad for payment by third parties of amounts related to a registered operation depends on the authorization from the Department of Financial System Surveillance and Information Management - Desig, it being granted to the co-responsible or to a third party determined by a court decision solely on cases where there is:
 - a) composition of debt or bankruptcy of the importer, provided that the co-responsible is either a natural or legal person established in Brazil;
 - b) default by the importer at the bank that issued the letter of credit for the transaction;
 - c) judicial judgment ordering the payment in Brazil to third parties.
11. The registration in the ROF module of the RDE does not exempt the requirement of compliance with other legal requirements for the modality of the contracted operation.
12. The payment of foreign obligations relating to the operation mentioned in this chapter, made directly abroad, must be registered in the ROF module of the RDE through specific writing off event.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

1. This section provides for the registration of loans granted to individual or juristic persons resident, domiciled or headquartered in Brazil by individual or juristic persons resident, domiciled or headquartered abroad, based on Regulation Annex II to Resolution No. 3844, of March 23, 2010, in the following modes:
 - a) foreign loans, including through the issuance of securities;
 - b) early reception of export proceeds operations, with maturity of more than 360 days;
 - c) foreign financing, with maturity of more than 360 days;
 - d) foreign financial leasing - leasing, with maturity of more than 360 days.
 2. This section also provided for the registration of the import of merchandise, without the obligation of payment to non-resident, for paying up share capital of Brazilian companies.
 3. The borrower of foreign resources, the importer and the leasing holder, through their representatives, as appropriate, are responsible for the registration dealt with in this section.
 4. To make the registration and obtain the respective RDE-ROF number, the following must be informed:
 - a) all titleholders of the operation (debtor, creditors, agents, guarantors);
 - b) the financial conditions and the maturity of principal, interest and charges;
 - c) the manifestation by the creditor or lessee on the terms of the transaction, and the guarantor, if any;
 - d) other requirements requested when registering the transaction in the ROF module of RDE.
 5. Costs and other conditions of operations in this section shall maintain compatibility with those usually observed in international markets and shall be clearly defined in the registration, not being accepted open maturity dates or charges undefined or bound, without limit, to financial results or to any way of measuring business performance of the borrower or third parties.
 6. The contracting and renegotiation of credit operations in any foreign currency is free, except for transactions in which the borrowers or guarantors are bodies or agencies of the federal, states, Federal District and municipalities administration, which must first be accredited by Central Bank of Brazil - Department of Financial System Surveillance and Information Management (Desig) according to the specific regulations.
 7. The accreditation of foreign credit operations, with no guarantee from the Union, of interest to the states, the Federal District, municipalities, their autarchies, foundations and non-financial firms, including their associated, controlled companies, affiliates and subsidiaries, and autarchies, foundations and non-financial companies of the Union, including its associated, controlled companies, affiliates and subsidiaries must meet the following criteria:
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

- a) resources should be directed to the refinancing of their own financial obligations already contracted, with preference for the most expensive and with shorter deadline and, while not used in the settlement of such commitments, shall remain in earmarked account to be opened in the federal financial institution who will care for the releasing to occur only for its purposes;
 - b) the total amount of obligations incurred for the purpose of the preceding sub item shall be the object of provision, through monthly deposits in the earmarked account to be opened in a federal financial institution in order to guarantee the payment of the principal and interest on the foreign loan, divided by the number of months covered by the total time of payment;
 - c) the foreign creditor (underwriter, in the case of issuance of securities) must be an institution that traditionally maintains financial relations with Brazil or who holds risk rating less or greater than "BBB" or its equivalent, granted by international risk evaluators among those of greater projection, and
 - d) contracts for the operation must contain a clause that specifies that they are unsecured obligations of the Union and the creditors declare they are aware that they cannot count on the contribution of federal funds for the redemption of such transactions, if the debtor does not have the required conditions, at the time of their maturity.
8. The requirements listed on sub items "a" through "d" of item 7 of this section shall not apply to the accreditation of operations whose foreign creditors are multilateral organizations in which Brazil participates or official credit agencies.
9. The requirements listed on sub items "a", "b" and "c" of item 7 of this section shall not apply to financing transactions for imports of merchandise and services.
10. The contracting of lending operations by foreign banks controlled by states and the Federal District for the purposes set out in the legislation in effect, must also comply with the criteria mentioned in sub item "c" of item 7 of this section.
11. To be allowed to raise funds abroad, the bank controlled by the state or the Federal District must hold, in at least one international risk evaluator agency, among those with the greatest projection, risk classification corresponding to investment degree, or at least equal to that obtained by the Union, in the same agency.
12. The registration of the transaction described in item 7 of this section will only be completed after the inclusion in the ROF module of the RDE, of the following events:
- a) manifestation of the National Treasury Secretariat (STN);
 - b) accreditation by Central Bank of Brazil;
 - c) order of the Minister of Finance for operations in which the Republic is included as debtor or guarantor;
 - e) resolution of the Federal Senate, if any.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

13. The foreign credit received by corporations in Brazil, not yet registered and not otherwise subject to registration with the Central Bank of Brazil must be registered pursuant to the provisions of Chapter 4 of this Title.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 1 - Foreign Loan

-
1. This subsection provides for the registration in the ROF module of the RDE, of operations of foreign loan contracted directly or through the issuing of securities on the international market, regardless of the maturity of operation.
 2. The financial institutions and leasing companies may raise funds abroad, for free investment in the domestic market.
 3. The option mentioned in item 2 of this subsection includes, with respect only to financial institutions, the performance of operations of transfer of funds under item 4 of this subsection, subject to the provisions of item 7 of this subsection.
 4. It is understood as a operation of transfer of funds the contract bound to the raising of funds abroad through which a domestic financial institution extends credit to an individual or corporation resident, domiciled or headquartered in Brazil, by transferring under the same conditions of cost of the debt contracted abroad in foreign currency (principal, interest and incidental costs), including taxes applicable to the hypothesis.
 5. It is forbidden to charge, in the operations of transfer of funds, onus of any kind and in any capacity, in addition to commission fee for the service of financial intermediation.
 6. In the operations mentioned in the item 4 of this subsection, the financial institution must transfer to the borrower of the resources, in Brazil, the effects of resulting from exchange variation corresponding to the debt contracted abroad in foreign currency.
 7. The financial institutions and leasing companies may perform interfinancial transfer of funds on lending operations, included therein the operations of transfer of funds whose borrower in Brazil, is another financial institution or leasing company.
 8. In the case of foreign loan promoted by a public sector entity by issuing securities at the international market, the issuer must obtain authorization from the National Treasury Secretariat under the legislation in force, prior to the commencement of negotiations with financial institutions abroad.
 9. After obtaining the authorization of the STN for issuance of the securities, pursuant to item 8 of this subsection, the issuer must register the transaction in the ROF module of RDE for accreditation by Central Bank of Brazil, pursuant to item 6 of section 2 of this chapter.
 10. The issuer may not, in the situation described in items 8 and 9 of this subsection, grant a mandate to the winning agent of the bidding prior to the accreditation by Central Bank of Brazil.
 11. Fundraising by an individual or juristic person domiciled or headquartered in Brazil; through direct loan contracting or issuing of securities in the international market, designated in reals, must be registered in the same currency in which occurred the actual inflow of funds into Brazil.
 12. Regardless of the currency in which the registration referred to in item 11 of this subsection is made, financial transfers to abroad may, under the terms of the registration, be made in any currency.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 1 - Foreign Loan

13. The transfers envisaged in item 12 of this subsection are limited to the amount corresponding to the value in local currency, required to settle the interest and costs of operation as well as to settle the debt principal.
14. The values on item 12 of this subsection may be paid, alternatively, through a transaction in a current account in Brazil, held by the foreign creditor or agent responsible for paying abroad the obligations of the operation.
15. After the completion of the ROF, even prior to the registration of payment arrangement, it can be made remittances abroad in payment of incidental costs.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 2 - (Revoked) Circular no. 3580/2012

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 2.A - Advance receipt of export, with maturity over 360 days (NR)

-
1. This subsection provides for the registration in the ROF module of the RDE, of the operations of advance receipt of export of goods or services, with more than 360 (three hundred sixty) days prior and limited to 1,800 (one thousand eight hundred) days prior to the date of shipment of the goods or of rendering of the service.
 2. The registration of the operation under this subsection requires the effective inflow of resources into Brazil.
 3. The operation of advance receipt of export with a maturity of more than 360 (three hundred and sixty) days may be linked to the exportation of borrower of the financing, of its parent company, of its subsidiaries, or of companies controlled by its parent company.
 4. The advances of funds to Brazilian exporters for the purpose foreseen in this subsection may be made by the importer or any corporation abroad including financial institutions.
 5. The inflow mentioned in this subsection may occur through an international transfer in reals, including payment orders coming from abroad in domestic currency or through foreign exchange contracting settled prior to shipment of the goods or of rendering of the service.
 6. The following procedures apply, depending on the form of inflow of funds into Brazil:
 - a) contracting of a foreign exchange transaction: the transaction must be contracted for immediate settlement, using the export exchange contract, group code 52, stating the number of ROF in the appropriate field;
 - b) international transfer in reals, including payment orders in domestic currency: the operation must be performed by indicating the group code 52 on screen record, stating the number of ROF in the appropriate field;
 - c) early settlement and within the statutory deadline of the export exchange contract contracted for future settlement, classified in groups 50 and 51: the operation must be performed by adjusting for group code 52, indicating the number of the ROF in the appropriate field.
 7. The amortization of the operations mentioned in this subsection shall be effected through the shipment of merchandise or the rendering of services, while interest may be paid through financial transfers or exports.
 8. If the shipment of the merchandise or the provision of services mentioned in item 8 of this subsection does not occur, the option will be given of the return to abroad of the resources that entered into Brazil as per this subsection, or of the transfer of the value registered to foreign direct investment or foreign loan.
 9. Upon completion of the ROF, even prior to the registration of the payment schedule, remittances may be made abroad in payment for incidental costs.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 3 - Foreign financing

1. This subsection provides for the registration in the ROF module of the RDE of foreign financing transaction with a maturity of more than three hundred and sixty (360) days, or its refinancing to the importer, of tangible or intangible assets:
 - a) directly by the supplier or other financial institution abroad;
 - b) by banks authorized to operate in the Brazilian exchange market, with funds from the credit lines obtained abroad.
 2. This subsection also provides for the registration, in the ROF module of the RDE, of the financing or refinancing operations, for non-resident, concerning:
 - a) rental, including simple foreign leasing and chartering;
 - b) provision of technology;
 - c) technical assistance services;
 - d) license to use / assignment of the trademark;
 - e) operating license / assignment of the patent;
 - f) franchise;
 - g) other modes, in addition to those listed in items "b" through "f" of this item, which will be endorsed by the National Institute of Industrial Property - INPI;
 - h) complementary technical services and / or expenses related to the transactions listed in sub items "b" to "e" of this item not subject to registration by the INPI.
 3. Each disbursement of the credit line on the outside represents a distinct form of credit, which must be registered in the RDE ROF module by the holder authorized bank, acting as debtor individually by the importer.
 4. The operations mentioned in this subsection shall be recorded in the currency of the domicile or headquarters of the title owner not residing in Brazil, in the currency of origin of merchandise or financing, or in another currency as agreed between the parties.
 5. After the completion of the ROF, even prior to the registration of the payment arrangement, remittances can be made abroad in respect of:
 - a) anticipated value, paid prior to shipment of merchandise;
 - b) cash value, paid at the time of clearance of merchandise;
 - c) interest arising in its grace period;
 - d) incidental costs.
 6. The registration of import of intangible assets that, by the standards of the Internal Revenue Service of Brazil, are not subject to the Import Declaration (DI), depends on the existence of commercial invoice and the term of delivery and acceptance, to be included
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 3 - Foreign financing

in the ROF module of the RDE.

7. The registration of financing of import of technology or franchise and related services depends on the registration of operation in the modality mentioned in subsection 1 of section 4 of this chapter, as well as the respective payment schedule.
8. To register the payment arrangement, besides the DI cleared or the receipt of the service rendered or the contract of exchange or international transfer in reals proving the inflow of resources, are required by the system information on:
 - a) date and details of the signed contract or other formal document setting out the financial terms of the transaction;
 - b) details of specific events for each mode of operation.
9. Operations originally contracted with deadlines for payment of less than three hundred and sixty (360) days and that, when being refinanced, reach a deadline for payment of more than three hundred and sixty (360) days, must be registered in the ROF module of the RDE in the form of this subsection prior to the rectification of DI.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 4 - Foreign financial Leasing - *leasing*

-
1. This subsection provides for the registration in the ROF module of the RDE, of the operations of foreign financial leasing (financial leasing), with maturity of more than three hundred and sixty (360) days, and their renegotiations between an entity domiciled abroad and the lessee of the property in Brazil
 2. The contract of foreign financial leasing may have as its object capital merchandise, movable property and real estate, owned by foreigners, new or used, observing, for its entry into Brazil, the rules governing the import.
 3. In the case of financial Leasing agreement between lessor-buyer domiciled abroad and lessee-seller domiciled in Brazil (sale and leaseback), the value of the contract should be less than ninety per cent (90%) of the cost of the asset object of the leasing, whose acquisition shall occur through cash payment.
 4. It is considered as the useful life of the asset object of foreign financial leasing the one informed:
 - a) by the manufacturer in the case of a new asset;
 - b) by the manufacturer or a foreign or domestic specialized company, in the case of a used asset;
 - c) by a specialized company in the case of real estate.
 5. The rules concerning the registration of operations of financed imports shall apply to registration of the foreign finance Leasing operation, where applicable;
 6. The foreign financial leasing shall comply with the following rules:
 - a) the total period of the operation shall be limited to the economic life of the asset;
 - b) lease payments shall be consistent with those prevailing in the international market;
 - c) the contractual installments, in fixed payments, shall be distributed in time so that at any time during the contract period, the ratio of the total amount already sent abroad and the value of the Leasing does not exceed the ratio between the time already elapsed and total time of operation;
 - d) the contract must contain a clause for option to purchase or renew the term of the contract.
 7. After the completion of the ROF, even prior to the registration of the payment arrangement, remittances can be made abroad of amounts related to the security deposit and incidental costs.
 8. To register the payment arrangement, besides the Import Declaration (DI) cleared or, in case of sale and leaseback, of the contract of exchange or the international transfer in reals proving the inflow of resources, information are required by the system on:
 - a) date and specifications of the signed contract or other formal document setting out the financial terms of the transaction;
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 4 - Foreign financial Leasing - *leasing*

- b) data of specific events for each modality of operation.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 2 - Foreign Credits

SUBSECTION : 5 - Import of merchandise without the obligation of payment to a non-resident,
intended for the integralization of capital

1. This subsection provides for the registration in the ROF module of the RDE, of the operations of importing assets without the obligation to pay to non-resident, for the integralization of capital of Brazilian companies.
2. The importation of assets mentioned in this subsection is initially registered in the ROF module of the RDE and then in the IED module of the RDE, as foreign direct investment in the form of chapter 2, section 2, subsection 1 of this title.
3. The registration in the ROF module of the RDE should be made in the appropriate modality with linking in the Import Declaration (DI) cleared, when appropriate, or by invoice or equivalent document that characterizes the importation of intangible.
4. An intangible asset, for purposes of the registration mentioned in this subsection, does not include the transfer of technology subject to annotation of the INPI, mentioned in Chapter 3, Section 4, subsection 1 of this title.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 3 - Guarantees provided by international institutions

1. This section provides for the registration of guarantees on credit operations, made in Brazil, between juristic persons domiciled or headquartered in Brazil by international organizations in which Brazil participates, which shall be made in declaratory form and electronically with Central Bank of Brazil, based on Regulation Annex IV to Resolution no. 3844, of March 23, 2010.
 2. The registration of foreign capital in this section shall be made in the Financial Operations Registration - ROF module of the Electronic Statement Registration – RDE of the Central Bank Information System (Sisbacen).
 3. The financial institutions may accept in their credit operations, the guarantees mentioned in this section.
 4. The guarantees shall be registered by the debtor of the domestic credit operation on the occasion of the signature of the contract of guarantee, and shall appear on the registration:
 - a) the parties of the security operation and the guaranteed credit operation;
 - b) the amount in national currency and the financial conditions and the term of the portion of the credit operation in Brazil supported by the guarantee;
 - c) fees and commissions under the guarantee obtained abroad;
 - d) other requirements requested on the screens of the ROF.
 5. The duration of the registration mentioned on item 1 of this section is equal to the maximum time allowed for the accomplishment of the guarantee.
 6. Remittances abroad for the payment of fees and commissions under the guarantee may be made by the debtor or the creditor of the internal credit operation.
 7. The inflow of funds into Brazil, for the accomplishment of the guarantee provided, makes effective the corresponding foreign operation, whose record shall be made in the currency which effectively entered into Brazil.
 8. The debtor of the domestic credit operation shall inform, in the respective ROF, the expiration date that corresponds to the inflow in every inflow of resources into Brazil.
 9. For purposes of this section, the beneficiary of the resources entering Brazil for the compliance with the guarantee is the creditor of the internal operation which, on the date of transfer by the foreign guarantor, is properly identified in the ROF.
 10. Regardless of the currency in which the registration referred to in item 7 of this section is made, the transfer abroad may be made, supported by the registration, of the foreign currency amount corresponding to the amount in national currency, of the credit and legal and conventional additions due to the guarantor.
 11. The provisions and procedures contained in this chapter shall apply to operations included this section, where applicable.
 12. The payment of foreign obligation regarding the operation in this section, made directly abroad, must be registered in ROF module of the RDE, through specific writing off event.
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 4 - *Royalties*, Technical Services and the like, Foreign Operating Leasing, Renting and Freightage

1. This section provides for the registration with Central Bank of Brazil, based in Regulation Annex III to Resolution no. 3844, of March 23, 2010, of the following contracts, when made between an individual or juristic person resident, domiciled or headquartered in Brazil and an individual or juristic person resident, domiciled or headquartered abroad:
 - a) use or cession of patents, industry or commerce trademarks, supply of technology or other contracts of the same kind, for purposes of financial transfers abroad as payment of royalties;
 - b) rendering of technical services and the like;
 - c) foreign operational leasing with a maturity of more than three hundred and sixty (360) days;
 - d) rent, including foreign single leasing and freightage, with a maturity of more than of three hundred and sixty (360) days.
2. The registration in this section shall be made, in a declaratory form and electronically in the Financial Operations Registration - ROF module of the Electronic Statement Registration - RDE of Central Bank Information System (Sisbacen).
3. The registration of contracts mentioned in item 1 of this section is the responsibility of the individual or juristic person resident, domiciled or headquartered in Brazil celebrating mentioned contracts.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 4 - *Royalties*, Technical Services and the like, Foreign Operating Leasing, Renting and FreightageSUBSECTION : 1 - *Royalties*, technical services and the like

1. This subsection provides for registration in the ROF module of the RDE, of the transactions entered into between an individual or juristic person resident, domiciled or headquartered in Brazil, and an individual or juristic person resident, domiciled or headquartered abroad, concerning:
 - a) license of use or cession of trademark;
 - b) license of exploitation or cession of patent;
 - c) provision of technology;
 - d) technical assistance services;
 - e) other modalities which will be endorsed by the National Institute of Industrial Property - INPI;
 - f) complementary technical services and expenses related to the transactions listed in paragraphs "a" to "e" of this item not subject to recording by the INPI.
2. The electronic declaratory registration of the operations listed in sub items "a" to "e" of Item 1 of this subsection is effected after obtaining the Annotation Certificate granted by the INPI.
3. The operations mentioned in this subsection are automatically submitted for review by the INPI, whose approval depends on the registration of the payment scheme, which is a requirement for the effectuation of remittances abroad.
4. To make the registration and acquire the respective RDE-ROF number, the following should be informed:
 - a) all titleholders of the transaction (the transferee, transferor or the like);
 - b) the amount, deadline and terms of payment;
 - c) other requirements requested when registering the transaction in the ROF module of the RDE.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 4 - *Royalties*, Technical Services and the like, Foreign Operating Leasing, Renting and FreightageSUBSECTION : 2 - Foreign Operating Leasing, Renting and Freightage

1. This subsection provides for the registration in the ROF module of the RDE, of the transactions entered into between an individual or juristic person resident, domiciled or headquartered in Brazil and an individual or juristic person resident, domiciled or headquartered abroad, relating to foreign operating Leasing, equipment rental, including simple foreign Leasing and freightage, with a maturity of more than of three hundred and sixty (360) days, as well as their extensions.
 2. The foreign operating Leasing contract may have as its object the capital assets, movable property and real estate, owned by foreigners, new or used, complying for its entry into Brazil, with the rules governing import.
 3. The foreign operating Leasing shall comply with the following rules:
 - a) lease payments shall include the cost of leasing of the asset and services pertaining to their disposal of the lessee, and the present value of payments may not exceed ninety percent (90%) of the cost of the asset;
 - b) the contract deadline shall be less than seventy five percent (75%) of the useful life of the asset;
 - c) the price for exercising the option of purchase must correspond to the market value of the leasing asset; and
 - d) the contract may not contain provision for payment of guaranteed residual value.
 4. The useful life of the asset object of the foreign operating Leasing that is the one informed:
 - a) by the manufacturer in the case of a new asset;
 - b) by the manufacturer or by a foreign or domestic specialized company, in the case of an used asset;
 - c) by a specialized company in the case of a real estate.
 5. To make the registration and acquire the respective RDE-ROF number, the following must be informed:
 - a) all titleholders of the operation (lessee, owner or the like);
 - b) the amount, maturity and terms of payment;
 - c) other requirements requested when registering the transaction in the ROF module of the RDE.
 6. After completing the registration, even prior to the registration payment arrangement, remittances can be made abroad of amounts related to the security deposit and incidental costs.
 7. Operations originally contracted with deadlines for payment of less than three hundred and sixty (360) days and that, when being renegotiated, reach a deadline for payment of
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 3 - Financial Operations

SECTION : 4 - *Royalties*, Technical Services and the like, Foreign Operating Leasing, Renting and FreightageSUBSECTION : 2 - Foreign Operating Leasing, Renting and Freightage

more than three hundred and sixty (360) days, must be registered in the ROF in the form of this subsection prior to the rectification of DI.

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 4 - Domestic currency capital – Law no. 11371, of 2006

1. This chapter provides for the registration with Central Bank of Brazil, in local currency, of foreign capital mentioned in Art. 5 of Law no. 11371, of November 28, 2006, performed in declaratory form and electronically, on the basis of Regulation Annex V to Resolution no. 3844, of March 23, 2010.
 2. Foreign capital included in this chapter, provided it appears regularly in the accounting records of the Brazilian company receiving the foreign investment should be registered in the corresponding modules of the Electronic Declaratory Registration- RDE in the Central Bank Information System (Sisbacen). .
 3. It is included in foreign capital stated in item 1 of this chapter are the investments and Foreign Loans and other capital resources derived from those capitals produced under the terms of applicable legislation.
 4. The registration mentioned in this chapter shall occur regardless of the date of its payment, until the last day of the calendar year subsequent to the annual statement in which the corporation is obliged to register the capital, observing, with regard to capital existing as of December 31, 2005, the provisions of § 2 of art. 5 of Law no. 11371, of 2006.
 5. The following provisions shall apply to the registration of foreign direct investment under this chapter:
 - a) the registration shall be made in Foreign Direct Investment Module (RDE-IED);
 - b) the additional participations to foreign investment, made in the same receiving company, already having the Electronic Statement Registration (RDE-IED) should be registered under the same registration number;
 - c) the capitalization of profits and dividends, interest on capital and reserves of profits from the share of capital registered under this chapter must be registered in the FDI module of the RDE;
 - d) in the cases of new records, shall be observed the procedures set out in items 8 and 9, Section 1, Chapter 2 of this title must be observed prior registration;
 - e) regardless of the date of payment of the foreign participation in the capital of the Brazilian receiving company of the investment, the participation to be recorded shall be that contained in the accounting records of the company, according to the rules in force, for which there is documentary evidence of ownership of foreign capital.
 6. In the case of investments in financial institutions, in other institutions authorized to operate by the Central Bank of Brazil and in consortium management companies, the registration shall be preceded by a manifestation from the Fiscal System Organization Department (Deorf).
 7. The following provisions shall apply to the credit operations pursuant to this chapter:
 - a) the registration will be made in the Financial Operations Registration (RDE-ROF) module;
 - b) the prior registration procedures set out in items 2 and 3, Section 1, Chapter 3 of this title must be accomplished;
-

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 3 - Foreign Capital in Brazil

CHAPTER : 4 - Domestic currency capital – Law no. 11371, of 2006

- c) regardless of the date and form of the foreign credit, the value to be registered shall be the one contained in the accounting records of the company, according to the regulations in force, for which there is documentary evidence of ownership of foreign capital.
- 8. The registration, according to this chapter, of foreign capital subject to other forms of registration, to which to specific regulations apply, including as to the deadline for registration and the imposition of penalties is forbidden.
- 9. The provisions and procedures contained in chapters 2 and 3 of this title, as appropriate, including with respect to transfers to other countries, resulting from the registrations made under this chapter shall apply to the operations mentioned in this chapter, as applicable.
- 10. The following are responsible for the registration, for purposes of this chapter:
 - a) in the case of foreign direct investment, the company receiving the investment and the representative in Brazil of the foreign investor, indicated in the RDE-IED Module;
 - b) in other cases, the borrower of funds abroad.
- 11. The instructions for the declarant to make the registration with the system are included in the topic Capital in national currency - Law no. 11371, of 2006, available on the Central Bank of Brazil page on the Internet (www.bcb.gov.br), in the section Câmbio e capitais estrangeiros - Manuais - Manuais do registro Declaratório Eletrônico - RDE-IED - Manual do declarante e RDE-ROF - Manual do Declarante.