

ANNUAL CENSUS OF FOREIGN CAPITAL IN BRAZIL

WHO MUST DECLARE?

- Legal entities with direct investment of non-residents in their corporate capital, in any amount, and with an equity equal or greater to R\$ 577.990.000,00 (equivalent to US\$ 100 millions, on 12/31/2021);
- Investment funds with non-resident investors with an equity equal to or greater to R\$ 577.990.000,00 (equivalent to US\$ 100 millions, on 12/31/2021); and
- Legal entities headquartered in Brazil, with an outstanding balance due within 360 days, granted by non-residents, in an amount equal or greater to R\$ 55.779.000,00 (equivalent R\$ to US\$ 10 millions, on 12/31/2021).

Legal Basis

Federal Law No, 4131/1962 and Circular Letters 3795/2016 and 3857/2017 of the Central Bank of Brazil

Base Date

December 31, 2021

Delivery Period

Begins on 07/01/2022 and ends on 08/15/2022, at 6 pm.

Penalties

A fine up to R\$ 250,000.00 will be imposed for the failure to provide information or the provision of false, incomplete, incorrect, or out of date information.

MATTERS OF ATTENTION

- Companies with foreign investments must indicate their market value based on any of the following criteria: (i) expert assessment; (ii) quotation on the stock exchange; (iii) discounted cash flow; (iv) recent negotiation of a portion of the capital; or (v) evaluation made by the company itself.
- All non-resident investors who have voting rights from 10% of the capital must be listed in the statement.

To learn more, please contact:

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