

# GMS Flash Alert

Immigration

2026-075 | 24 March 2026

## Brazil – Decree No. 12,864 Amends EU Visa-Exemption Rules for Short Stays

On 2 March 2026, Brazil issued Decree No. 12,864, which promulgates the agreement between Brazil and the European Union (EU) amending the rules on visa exemption for short stays for holders of ordinary passports, as signed in Brussels on 27 September 2021, and includes accompanying interpretative declarations.<sup>1</sup>

### WHY THIS MATTERS

The amendment introduces a more precise definition of “short stay” for visa-exempt travel between Brazil and EU Member States, shifting from “three months in a six-month period” to “90 days in any 180-day period.” This harmonization with EU regulations provides clarity for globally mobile employees, human resources leaders, and mobility managers in planning assignments and business travel.

Organizations facilitating cross-border movement between Brazil and the EU may experience more consistent compliance checks and reduced ambiguity regarding permissible duration of stays. This reduces the risk of inadvertent overstays, which can trigger penalties or future entry bans.

### Key Highlights

- The permitted visa-free stay is now “90 days in any 180-day period,” replacing the prior “three months in a six-month period.” This applies to both Brazilians visiting EU Member States (that fully apply the *Schengen acquis*) and EU citizens visiting Brazil.
- The “90 days in any 180 days” is a rolling window, requiring travelers to count back 180 days from each day of stay to sum days present; an uninterrupted absence of 90 days resets eligibility for a new 90-day stay.
- For EU Member States not yet fully applying the *Schengen acquis*, Brazilian nationals may stay up to 90 days per 180 days, counted separately from stays in fully participating Schengen states.
- The agreement does not apply to the United Kingdom or Ireland.

- The joint declarations clarify calculation methodology and encourage parallel bilateral updates by Norway, Iceland, Switzerland, and Liechtenstein.
- Any future revisions or additional commitments require approval by the Brazilian Congress.

## KPMG INSIGHTS

In light of the changes, the organizations might wish to review travel management protocols and travel calendars for employees and confirm they are aligned with the new rolling 180-day window. Payroll and HR teams may consider updating guidance and tools used for compliance monitoring.

If assignees and/or their programme managers have any questions or concerns about the scope of the update, its application and potential impacts, and appropriate next steps, they should consult with their qualified professional or a member of the GMS team with KPMG in Brazil (see the Contacts section).

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### ENDNOTE:

1 Presidência da República, Casa Civil, Secretaria Especial para Assuntos Jurídicos (in Portuguese), "[Decreto N° 12.864, de 2 de março de 2026](#)," published on 3 March 2026.

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## Contacts

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**The information contained in this newsletter was submitted by the KPMG International member firm in Brazil.**

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