

INFORMATION REPORT

JANUARY/FEBRUARY 2020

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INSURANCE AND OPEN SUPPLEMENTARY SOCIAL SECURITY

1) DPVAT – CONTINUATION OF EVENTS

Dias Toffoli reestablishes the effectiveness of CNSP Resolution on DPVAT (Federal Supreme Court -STF)

STF Chief Justice Dias Toffoli on call during the courthouse vacation revoked the injunction that he himself had granted on December 31 staying the effects of National Private Insurance Council - CNSP Resolution no. 378/2019.

The revocation was based on the arguments of the Office of the General Counsel to the Federal Government that the expenses of the DPVAT Consortium (DPVAT stands for Compulsory Insurance against Personal Injury caused by Land Vehicles)

were reduced by R\$ 20.301 million and the funds currently available in the fund managed by the consortium covers the obligations of the DPVAT insurance.

[Check the decision here.](#)

Price of DPVAT Insurance – Decision of STF Chief Justice reestablishes CNSP Resolution no. 378/2019

In view of the decision of STF Chief Justice reestablishing CNSP Resolution no. 378/2019, the Private Insurance Superintendence (SUSEP) set extremely low prices for DPVAT insurance.

New bank-issued invoices will be issued, and amounts charged in excess will be returned.

Click [here](#) to access Circular Letter no. 1/2020 issued by SUSEP.

2) SUSEP CIRCULAR No. 596, OF 1/16/2020

[Circular SUSEP no. 596 of 16.01.2020](#) published and in effect on 1/17/2020, provides for the creation of accounts for registration of DPVAT transactions.

The amendment included some sub-accounts in the accounts plan set in Appendix X to SUSEP Circular no. 517 of 7/30/2015.

3) Superior Court of Justice - STJ reviews the lawfulness of the adjustment clause in group life insurance contracts

The 3rd Panel of STJ, when trying [Special Appeal no. 1816.750](#), reviewed that court's decision on the lawfulness of the clause on the adjustment of premium according to the age range in group life insurance contracts.

Justice-Rapporteur Paulo de Tarso Sanseverino, in his opinion, concluded that, as the life insurance is especially of property nature, it is not equivalent to the health plan/insurance. Hence, the application, by

analogy, of the rule in art. 15 of Law 9656/1998, is not valid.

This way, the Panel adopted the position of the Fourth Panel, unifying the understandings of the section of private law of the STJ, formed by two panels.

4) FENACOR, SUSEP, and MP 905/19

Since the enactment of Provisional Presidential Decree - MP 905/19, the National Federation of Private Insurance and Reinsurance Brokers - FENACOR and the Insurance Brokers' Unions - SINCOR have been working together to defend the interests of insurance brokers and oppose the revocation of Law 4594/64, which regulated the profession in Brazil.

The institutions conducted the legal procedures by filing a Direct Action for Declaration of Unconstitutionality (through the Solidarity Party); in the political front, they approached the members of the Congress and in the institutional front, they had

several meetings with SUSEP and Rogério Marinho, Special Social Security and Labor Secretary.

For more information, check the [report](#).

Apparently in response, SUSEP created a FAQ channel to answer the questions of professionals and consumers about the de-bureaucratization of brokerage, its self-regulation, and certifying entities.

To check the FAQ, [click here](#). If the FAQ does not the answer your question, you may send it through [this form](#).

5) SUSEP submits to public inquiry the rules and procedures for the certification of intermediaries of insurance purchases

SUSEP submitted to public inquiry measures to improve the de-bureaucratization of brokerage and other mediations of insurance transactions in Brazil.

The proposed measures, which will be available until 3/13/2020, set rules for the [technical certification of intermediaries](#) and for the [definition and regulation of the certifying entities](#).

6) CALL FOR SUSEP PUBLIC INQUIRY No. 001, OF 1/17/2020

SUSEP submitted to [public inquiry](#) the draft of a CNSP Resolution on the self-regulatory entities of the insurance brokerage, capitalization, and social security markets.

The draft reproduces part of the rules in effect before the revocation of Law no. 4594/1964 by MP 905/2019.

Those interested may send, within 30 days from the call, comments and suggestions via e-mail to cgrat.rj@susep.gov.br, and the standard table that must be used is available on SUSEP's website (<http://susep.gov.br/menu/atos-normativos/normas-em-consulta-publica>).

CLOSED SUPPLEMENTARY SOCIAL SECURITY

1) National Supplementary Social Security Council - CNPC RESOLUTION No. 035, OF 12/20/2019:

[CNPC Resolution no. 35/2019](#), published in the Federal Official Journal (DOU) of 2/26/2020, provides for the organizational structure of the closed supplementary social security entities (EFPC).

The Resolution also deals with the process for authorization of benefit plans subject to Supplementary Law no. 108/2001.

2) CNPC RESOLUTION No. 034, OF 12/4/2019:

[CNPC Resolution no. 034, of 12/4/2019](#), published on 2/22/2020, amends Supplementary Social Security Managing Council - CGPC Resolution no. 08, of February 19, 2004, which sets procedural rules to formalize bylaws, benefit plan regulations, adhesion contracts, and amendments to such contracts.

3) CNPC RESOLUTION No. 033, OF 12/4/2019:

[CNPC Resolution no. 033 of 12/4/2019](#), which was published and took effect on 1/22/2010, amends MPS/CNPC Resolution no. 19, of March 30, 2015, on the certification and qualification of closed supplementary social security entities, and revokes the appendix to that CNPC Resolution no. 19.

4) CNPC RESOLUTION No. 032, OF 12/4/2019:

[CNPC Resolution no. 032 of 12/4/2019](#), which was published and took effect on 1/22/2020, provides for the procedures that the closed supplementary social security entities must follow to disseminate information to participants and beneficiaries of their social security plans.

5) PREVIC publishes guide of the best accounting and actuarial practices

Supplementary Social Security Superintendence (Previc) (Previc) published the updated [Guide of the Best Accounting and Actuarial Practices](#) and the updated [guide of the Best Actuarial Practices](#). The guides were updated to contemplate the latest amendments to the rules, comprising CNPC

Resolutions and Previc's instructions related to actuarial and accounting issues.

The main innovations of the actuarial guide are a specific section addressing technical adhesion studies of actuarial events as well as additional instructions to deal with plans with deficits to be balanced or surplus to be allocated.

The accounting guide addresses the best practices concerning provisions that reduce assets or increase liabilities and offer a reference list of the best practices of audit committees and internal audits, whether independent audit or sponsor audit, to stimulate excellence in the management and control of the inherent risks of the management of benefit plans.

MISCELLANEOUS

1) Provisional Presidential Decree - MP No. 919, OF 1/30/2020

[MP no. 919/2020](#), published in the DOU of 1/31/2020, provides for the minimum wage amount that will be in effect from February 1, 2020.

With this new MP, the minimum wage will be R\$ 1,045.00. The MP revoked the previous MP, which had adjusted the minimum wage at a rate below the inflation rate (R\$ 998, 2019 value, to R\$ 1,039).

As a result, the actual gain policy effective since the Real Plan and not observed in 2019, was put into effect again, although informally.

2) DECREE No. 10246, OF 2/18/2020

[Decree no. 10246/2020](#), published in DOU of 2/19/2020, instituted the Brasil Mais Program and the Strategic Guidance Committee for the Program.

The Program is intended to improve the productivity of small and medium businesses through expansion practices.

The Special Productivity, Employment and Competitiveness Office of the Ministry of Economy (Sepec/ME) will coordinate the program, which will be managed by the Brazilian Industrial Development Agency (Sepec/ME) and executed by the Support Service to Micro and Small Business (Sebrae) and the National Industrial Training Service (Senai).

3) DECREE No. 10245, OF 2/18/2020

[Decree no. 10245/2020](#), published in the DOU of 2/19/2020, provides for the Council for the Investment Partnership Program (PPI).

The decree was issued to update the operation of the Council after the PPI transfer from the Office of the President's Chief of Staff to the Ministry of Economy.

The decree established that the Ministry of Economy Paulo Guedes, as president of the Council, and Roberto Campos Neto, president of the Central Bank of Brazil, will participate in the resolutions on the destatization of financial institutions.

4) DECREE No. 10223, OF 2/5/2020

[Decree no. 10223/2020](#), published in the DOU of 2/6/2020, revoked 300 decrees in whole or in part.. The oldest had been sanctioned in 1996, but the majority dated the 1990s, 2000s, and 2010s.

5) DECREE No. 10222, OF 2/5/2020

The President, through [Decree no. 10222/2020](#), published in the DOU of 2/6/2020, approved the National Cyber Security Strategy (E-Ciber).

The E-Ciber will be effective in the 2020/2023 strategic cycle and is intended to reinforce the Brazilian cyber governance by unifying the governance models, improving the legal framework,

and promoting innovative solutions and national and international cooperation partnerships.

The decree reflects the concern about the cybersecurity that arose in 2015 and the Brazilian government's maturity in how it deals with this issue.

6) DECREE No. 10219, OF 1/30/2020

Published on 1/31/2020, [Decree no. 10219 of 1/30/2020](#) came into effect on 2/1/2020. It amends Decree no. 10178, of December 18, 2019, which regulated Law no. 13874, of September 20, 2019, and sets criteria and procedures for the risk classification of economic activities and the period for tacit approval.

This new Decree revokes the sole paragraph of art. 1 of Decree no. 10178/2019 and amends the following provisions of that Decree: art. 1, par. 1, par. 2, and par. 3; art. 3, par. 2; art. 10, par. 3, and par. 5; art.12, par. 3; art. 18-A, and art. 21.

7) DECREE No. 10209, OF 1/22/2020

[Decree no. 10209, of 1/22/2020](#), provides for the application for information and documents and the sharing of information protected by tax secrecy. The Decree authorizes the Office of the Federal Controller General (CGU) to access confidential data stored at the Ministry of Economy to develop its activities.

That Office was also authorized to publish on the Transparency Portal of the Federal Government the electronic invoices of the expenses of agencies and entities of the federal public administration. According to the Decree, CGU will have access to the National Environment of the Electronic Invoice, which is a public document

8) DECREE No. 10201, OF 1/15/2020

[Decree no. 10201/2020](#) regulated the provisions of Law no. 9469/1997 and set the values in the scope of the authorities that authorize agreements or transactions entered into by legal entities governed by private law and federal government companies to prevent disputes, including court disputes.

The Decree authorized AGU to execute agreements of up to R\$ 50 million, without prior approval of the Federal Executive Branch. Therefore, AGU gains autonomy and now can make decisions more quickly.

9) DECREE No. 10197, OF 1/2/2020

[Decree no. 10197/2020](#) amended Decree no. 8573/15, establishing that the platform Consumidor.gov.br is an official administrative means to settle consumer disputes.

The entities that have their own platforms to solve conflicts must adopt the new platform until December 31, 2020, except for those that have channels which

scale and specificities that justify the continuance of their operation.

Currently, the website has almost 2 million users, 611 companies, and a 80% rate of solution of disputes. The average time for answer is seven days and registration is required to use the platform.

Although the platform implies the risk of attracting to the state the conciliation activity that should be managed in a private environment, the initiative provided in the Decree (unification of platforms) is laudable because it simplifies the state structure.

10) Office of the General Counsel for the National Treasury/Office of the General Counsel for the National Treasury - AGU/PGFN ADMINISTRATIVE RULE No. 024, OF 1/17/2020

[AGU/PGF Administrative Rule no. 024 of 17.01.2020](#), which was published and came into effect on 1/22/2020, amends PGF Administrative Rule no. 201, of March 8, 2013, and delegates the authority to execute Consent Decrees, in court or out of court, to which autonomous government agencies and federal government foundations are committed parties, under art. 4-A of Law no. 9469, of July 10, 1997, as specified in the Administrative Rule.

11) CNseg releases Guide for the General Data Protection Law (LGPD)

The National Confederation of Insurers (CNseg) released late December the [Guide for the Brazilian Insurance Market's Good Practices to Protect Personal Data](#).

CNseg guide is intended to be an important support for the companies of the insurance sector when implementing the measures required under the LGPD, which takes effect on August 16, 2020.

The guide is also intended to consolidate the culture of compliance with data in the insurance sector.

FINANCIAL MARKET, STOCK MARKET AND OTHERS

1) Law no. 13974/2020 - Council for Control of Financial Activities (Coaf)

[Law no. 13974/2020](#), sanctioned on 1/7/2020, transferred Coaf from the Ministry of Economy to the Central Bank.

The Law, originated from Provisional Presidential Decree - MP 893/2019, was amended by the Congress. The Congress vetoed the provisions

changing the name of the Council and transforming this collective council into a decision-making body.

Besides, the Legislative eliminated from the text the provision that Coaf would produce information to combat terrorism financing.

2) National Monetary Council - CMN RESOLUTION No. 4778, of 1/29/2020

[CMN Resolution no. 4778, of 1/29/2020](#), admits the compliance with the requisite rural credit of the Compulsory Funds (MCR 6-2) in investment transactions agreed with beneficiaries of the Program to Strengthen the Family Farming (Pronaf) between February 1 and June 30, 2020.

3) CMN RESOLUTION No. 4777, of 1/29/2020

[CMN Resolution no. 4777, of 1/29/2020](#), amended Resolution no. 2723, of May 31, 2000, which sets rules, conditions, and procedures for financial institutions and institutions authorized to operate by the Brazilian Central Bank to have offices abroad and hold interests, directly or indirectly, in Brazil and abroad. It also revoked par. 2 of art. 9 of the Appendix to Resolution no. 4373, of September 29, 2014, which provides for investments of investors that are not resident of Brazil in the Brazilian financial and stock markets.

Now, the following acts must be informed to the Brazilian Central Bank within at least thirty days as from their occurrence: I - beginning and end of activities of offices abroad; II - reduction in the funds allocated to the capital of offices abroad; III - capital increase deriving from incorporation of reserves of offices abroad and financial institutions or similar institutions abroad in which interest is held, directly or indirectly; IV - reduction in the capital of financial institution or similar institution abroad in which interest is held, directly or indirectly; V - reduction in the relative position in the capital of financial institution or similar institution abroad in which interest is held,

directly or indirectly; and VI - capital increase deriving from incorporation of reserves, total or partial disposal, and reduction in the capital or relative position in the capital of the financial institution or similar institution abroad in which interest is held, directly or indirectly.

4) [CMN RESOLUTION No. 4776, of 1/29/2020](#)

[CMN Resolution no. 4776, of 1/29/2020](#), sets the general criteria for the financial institutions and other institutions authorized to operate by the Brazilian Central Bank to prepare and publish their consolidated financial statements.

Institutions organized as publicly held companies or that are leaders of a prudential conglomerate classified in Segment 1 (S1), Segment 2 (S2), or Segment 3 (S3), under the regulation in force, must prepare their annual consolidated financial statements following the international accounting standards, according to the pronouncements of the International Accounting Standards Board (IASB), translated into

Portuguese by a Brazilian entity accredited by the Reporting Standards Foundation (IFRS Foundation).

The financial statements addressed in the Resolution must be published in the Financial Statements Center of the National Financial System on the Central Bank of Brazil website.

5) CMN RESOLUTION No. 4775, of 1/29/2020

This Resolution [CMN RESOLUTION No. 4775, of 1/29/2020](#); amends Resolution no. 3427, of December 21, 2006, to update the Biannual Supervision Plan of the Exchange and Securities Commission.

Under the resolution, the policy adopted by the Exchange and Securities Commission to supervise the structure and operations of the securities market and guide its activities must contemplate an approach based on risk, as established in art. 2 of the Resolution.

6) Central Bank of Brazil - BACEN CIRCULAR No. 3985, OF 2/18/2020

[BACEN Circular no. 3985/2020](#), published in the DOU of 2/19/2020, established provisions related to the modalities of and criteria for participation in instantaneous payment agreements and the Instantaneous Payment System (SPI) and related to the criteria for direct access to the List of Identifiers of Transaction Accounts (DICT).

The highlights are i) payment institutions not authorized to operate by BACEN are prohibited from participating in the direct modality; and ii) commercial banks, multiple banks with commercial portfolios, savings banks, clearing settlement houses, and clearing and settlement services providers.

7) BACEN CIRCULAR No. 3981, OF 2/6/2020

[BACEN Circular no. 3981/2020](#), published in the DOU of 2/10/2020, provides for information in the statement of deposit accounts with an overdraft facility contract held by an individual or individual micro-business (MEI).

Under this circular, the financial institutions must identify in the overdraft facility contract agreed with individuals or MEIs:

I - the overdraft limit; II - the debit balance of the overdraft on the date of the statement; III - the overdraft amounts used daily in the current period of interest assessment; IV - the amount and calculation of any fee charged for the overdraft limit to be made available; V - effective conventional interest rate per month; and VI - interest accrued in the assessment period until the date of the statement, identifying any deduction deriving from the fee charged for the limit to be made available.

If the financial institution does not charge any fee for the product, the new rules will apply from 11/1/2020 only.

8) BACEN CIRCULAR No. 3,980, OF 1/30/2020

[BACEN Circular no. 3980/2020](#), published in the DOU of 1/31/2020, amended the Regulations attached to Circulars no. 3057/ 2001, no. 3682/2013, and no. 3743/2015, on information about changes not subject to prior authorization in the regulations on infrastructures of the financial market and payment arrangements.

It also establishes the prior authorization is compulsory for the inclusion of a new financial asset in the list of financial assets eligible for registration and centralized deposit through the systems authorized by Circular no. 3743/2015

Finally, it revoked Circular no. 3875/2018, which established the deadlines of the processes of application for authorization related to the operation of consortium managers and payment institutions.

9) BACEN CIRCULAR No. 3979, OF 1/30/2020

[BACEN Circular no. 3979, of 1/30/2020](#), provides for the establishment and updating of the operating risk database and information to be sent to BACEN about operating risk events.

10) BACEN CIRCULAR No. 3978, OF 1/23/2020 - MONEY LAUNDERING PREVENTION

[BACEN Circular no. 3978/2020](#) improves the regulation on the policy, procedures, and internal controls that the regulated institutions must adopt to prevent the use of the financial system for crimes of money laundering, concealment of property, rights, and values, and terrorism financing to be committed.

The improvements seek to bring greater efficiency and effectiveness to the procedures followed to prevent

money laundering and terrorism financing (PLDFT), expanding the adoption of a risk-based approach that establishes that reinforced controls must be used in high-risk situations and simplified controls in small-risk situations.

The Circular also improves the procedures to know clients, comprising identification, qualification, and classification of the clients by collecting, checking, and validating information compatible with the risk profile, the nature of the business relationship, the PLDFT policy, and the internal risk assessment of the institution.

The procedures for the client's qualification must include verification if the client, as well as any of its representatives, family members, or closed associates, are a PEP (politically exposed person).

In regard to the compulsory record of transactions, the regulation comprises all products and services offered by the institution, irrespective of the value of the transaction. These records must contain information identifying the parties involved in the transaction, the origin and the destination of the funds in the case payments, receipts, and transfers of funds through any tool.

Concerning communications about suspicious transactions to Coaf, the Circular defines the specific periods for the monitoring, selection, analysis, and communication stages, to ensure better effective use of the information by the financial intelligence.

The new regulation establishes that the institutions are required to implement procedures to know their employees, partners, and outsourced services providers, including identification and qualification procedures.

In view that the regulated institutions must adjust to the new requirements, Circular no. 3978 will take effect on July 1, 2020, only.

11) BACEN CIRCULAR No. 3977, OF 1/22/2020

[BACEN Circular no. 3977, of 1/22/2020](#), deals with the recognition of interests held by individuals or legal entities resident or domiciled abroad in the capital of financial institutions with head office in Brazil, as a matter of interest of the Brazilian government.

Decree no. 10029, of 9/26/2029, had already transferred to BACEN the authority to recognize as of interest of the Brazilian Government (i) the establishment of agencies of financial institutions domiciled abroad in Brazil; and (ii) the increase in the rate of foreign interest held in the domestic financial institutions.

12) BACEN CIRCULAR No. 3976, OF 1/22/2020

[BACEN Circular no. 3976, of 1/22/2020](#), amends Circulars no. 3644 of March 4, 2013, no. 3748 of February 27, 2015, no. 3809, of August 25, 2016, and no. 3904, of June 6, 2018, all relating to the procedure to calculate the requisite capital for exposures subject to credit risk and the methodology to assess the Leverage Ratio.

13) BACEN CIRCULAR LETTER No. 4002, of 1/30/2020

[BACEN Circular Letter no. 4002/2020](#), published in the DOU of 2/3/2020, established how to supply information about payment arrangements that are not part of the Brazilian Payment System (SPB).

The following information must be updated annually and sent to BACEN until the last business day of the first quarter of the year; the base date is the last business day of the previous calendar year.

I - record data identifying the director of the party that established the arrangement or person responsible for receiving BACEN's questions about issues related to the arrangement, correspondence address, phone number, and electronic address.

II - purpose, modality of relationship, and territory reach of the arrangement, as provided, respectively, in arts. 8, 9, and 10 of the Regulation attached to Circular no. 3682, of 2013;

III - a summarized description of the characteristics of the payment instrument issued in the scope of the arrangement; and

IV - statistics of a) the total value of payment transactions, and b) quantity of transactions.

14) BACEN CIRCULAR LETTER No. 4001, of 1/29/2020

[BACEN Circular Letter no. 4001, de 29.01.2020](#), derives from the new provisions of Circular 3978/2020. BACEN publishes a new and extensive list of transactions and situations that may be an indication of the crimes of money laundering or concealment of property, rights, and values, and terrorism financing that must be informed to Coaf.

Circular Letter no. 4001 will take effect on 7/1/2020 when Circular Letter no. 3542 will be revoked.

15) CVM INSTRUCTION No. 619, OF 2/6/2020

[CVM Instruction no 619/2020](#), published in the DOU of 2/7/2020, amended and revoked provisions of CVM Instruction no. 592/2017.

As amended, the instruction provides for hiring of securities consultants not domiciled in Brazil. Now, new participants may enter the market and the offer of consultancy services was expanded without compromising the health of the market.

The instruction derives from Brazil's interest in adhering to the OECD Liberalization Codes. The circular will take effect on 6/1/2020.

16) CVM INSTRUCTION No. 618, OF 1/28/2020

This [instruction](#), published in the DOU of 1/29/2020, changed the date of effectiveness of CVM Instruction no. 612/2019, which amends rules and procedures for transactions with securities in the regulated securities markets.

Art. 2 of such Circular now reads as follows:

“Art. 5 This instruction will come into effect on September 1, 2020, except for:

I - the new wording of par. 1 of art. 25 of CVM Instruction no. 505, of September 27, 2011, which will apply from March 2, 2020; and

I - the new wording of pars. 5 to 8 of art. 4 of CVM Instruction no. 505, of September 27, 2011, which will apply from May 4, 2020.” (New Wording)”

17) End of the public hearing on the new rules for the organized markets (CVM Instruction 461) was postponed.

CVM postponed to 4/28/2020 the period for comments and suggestions for Public Hearing SDM 09/2019.

CVM submits to [public hearing](#), under art. 8, par. 3, I, of Law no. 6385, of 1976, the following drafts of new instructions:

a) Draft A, to replace CVM Instruction 461, including new provisions in the regulation on the operation of

the regulated securities market and the creation, organization, and operation of managing entities of the organized market;

b) Draft B, which provides for the creation, organization, and operation of the unified self-regulation of the organized markets and infrastructures of the financial market in operation in the securities market; and

c) Draft C, which amends CVM Instruction 505 providing for the execution of orders in the Client's interest in a context of competition among negotiation environments (best execution). Comments may be sent until 4/28/2020 via e-mail to audpublicaSDM0919@cvm.gov.br in writing to the address Rua Sete de Setembro, 111 - 23º andar - Centro - Rio de Janeiro (RJ).

HEALTH

1) LAW No. 13979, OF 2/6/2020

Published in the DOU of 2/7/2020, [Law no. 13979/2020](#) establishes measures to face international health emergencies caused by the 2019 coronavirus outbreak.

Among others, the Law provides for the isolation of coronavirus patients and quarantine of people suspected of carrying the virus. Patients in isolation will receive free medical treatment and will be guaranteed the right to information about their health condition.

The Law establishes that, if necessary, the frontiers may be closed, and the entry of products without registration with the National Agency of Sanitary Surveillance (ANVISA) will be exceptionally and temporarily authorized.

The Law was processed rapidly in Congress because Brazil, until then, had no law on sanitary quarantine, and the Covid-19 infections are spreading widely worldwide.

2) DECREE No. 10236, OF 2/11/2020

Published in the DOU of 12.02.2020, this decree approved the Internal Regulation of the Supplementary Health Council.

In practice, it re-instituted the Supplementary Health Council, a decision-making body connected with the Ministry of Health and reduced the independence of the National Agency of Supplementary Health (ANS)

Decree no. 10236 revoked Decree no. 4044/2001.

3) DECREE No. 10212, OF 1/30/2020

[Decree no. 10212, of 1/30/2020](#), which was published and took effect on the same date, enacts the revised text of the International Sanitary Regulations (2005), approved by the 58th World Health Assembly of May 23, 2005. The Regulation has a series of annexes.

The relevancy of the Regulations derives from the need to revise and update the International Sanitary Regulations contained in resolutions WHA48.7 on the revision and updating of the International Sanitary Regulations; WHA54.14 on the global health security: epidemic alert and response; WHA55.16 on the world response to natural occurrence, accidental release, or deliberate use of biological and chemical agents or radio nuclear materials that affect human health, WHA56.28 on the revision of the International Health Regulations; and WHA56.29 on the severe acute respiratory syndrome (SARS) to respond to the need to ensure the global public health.

The revision of the Regulations is also essential given WHO's role to alert to outbreaks and respond to public health events, within its authority, and to stress their importance as a key tool for the protection of the world's population against the spreading of diseases.

4) Superior Court of Justice - STJ hold a public hearing to deal with the re-classification of the monthly payments to health care plans per age range

On February 10, 2020, the STJ held a public hearing to discuss Subject 1016 of repetitive appeals concerning the monthly payments due to the health plans by reason of the age range.

The hearing was held to supply the justices of the Second Section with inputs for the trial of Special Appeal 1.715.798, which disputes the validity of the contractual clause of the group health plan contracts that establishes that the payments will be adjusted according to age range and the burden of proof related to actuarial base of the adjustment.

Among the comments, we highlight those made by the entities representing the health plan companies and the Bar Association of Rio de Janeiro, which defended

that STJ's decision rendered in 2014 when it tried Subject 952 of repetitive appeals must be applied.

For more information, access the [STJ website](#).

TAX

1) Brazilian Federal Revenue - RFB NORMATIVE INSTRUCTION No. 1925, OF 2/19/2020

Published in the DOU of 2/20/2020, [RFB Normative Instruction no. 1925/2020](#) amended RFB Normative Instruction no. 1700/2017, which provides for the payment of the income tax and the social contribution on net profit of corporate taxpayers and regulates the treatment of PIS/Pasep and Cofins taxes concerning the amendments introduced by Law no. 12973, of May 13, 2014..

After the amendments, art. 30 of the Instruction of 2017, reads as follows:

Art. 30. [...] II - 15% , except in the period between October 1, 2015 and December 31, 2018, in which the 17% rate will be effective for credit cooperatives; III – [...] e) other legal entities; e IV - 20% , except in period between January 1, 2020 and February 29, 2020, in which the 15% rate will be effective for banks of any type and development agencies.

Sub-item “b” of item I of the head provision of art. 30 was revoked.

(created in 2006 and valid until 2019); ii) previous automatic completion of Annual Rectification by those that have the digital certificate; iii) definition of the schedule of restitutions, with five monthly lots as from May.

2) RFB NORMATIVE INSTRUCTION No. 1924, OF 2/19/2020

Published in the DOU of 2/20/2020, [RFB Normative Instruction no. 1924/2020](#), provided for the Rectification of the Individual Income Tax Return for 2020, calendar year 2019, reported by individuals resident in Brazil.

The main changes are i) end of deduction of the employers’ expenses with domestic employees

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