

Brazil Regulatory Update

Brazil moves to prohibit fixed-odds betting

What MP 1,394/2026 means for operators, investors and businesses with exposure to the Brazilian market



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25 SEP 2026 MP 1,394/2026 entered into force immediately.	5 OCT 2026 Key operational transition deadline for websites/apps and pre-existing advertising materials.	25 OCT 2026 Existing fixed-odds betting authorisations are scheduled to terminate.
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Status as at 2 October 2026. MP 1,394/2026 remains in force. Its statutory transition deadlines continue to apply unless the relevant provisions are changed by Congress or suspended by the courts.^{[1][2]}

1. What changed?

On 25 September 2026, the Federal Government issued Provisional Measure No. 1,394/2026 ("MP 1,394/2026"), which prohibits the exploitation, offering, intermediation and advertising of fixed-odds betting throughout Brazil. The prohibition covers both bets on real sporting events and online games and also applies to operators established abroad when their services are offered to persons located in Brazil.^[1]

The MP has immediate force of law, but it is not permanent legislation. It must be reviewed by the National Congress and may be approved, amended, rejected or allowed to lapse. At the same time, the measure is already being challenged before the Federal Supreme Court (Supremo Tribunal Federal, or "STF").^{[2][3]}

Existing licences

Existing federal, state and Federal District concessions, permissions and authorisations for fixed-odds betting are scheduled to terminate 30

days after publication of the MP, on 25 October 2026. The text states that termination is based on public interest and does not entitle operators to total or partial reimbursement of the authorisation fee or to compensation from the Federal Government.^[1]

Two tracks are running in parallel

Businesses must comply with the rules already in force while also monitoring (i) the Congressional review of the MP and (ii) judicial challenges that may alter or suspend parts of the new framework.

No new authorisations

From 25 September 2026, no new concessions, permissions or authorisations may be granted. Applications that were still pending on the publication date are treated as having become moot.^[1]

Websites, apps and existing bets

Ten days after publication, operators must make betting websites and internet applications unavailable, including through app stores. Bets whose outcomes have not been determined by that deadline are void and must be fully refunded; prizes arising from bets whose outcomes were determined before the deadline remain payable.^[1]

From the publication date, operators are also prohibited from receiving new funds into transactional accounts, subject to limited exceptions for funds already invested and later redeemed or liquidated solely for purposes of completing the wind-down.^[1]

Refunds and continuing obligations

After betting interfaces are made unavailable, operators have two days to ensure the liquidity required to repay bettors and to provide financial/payment institutions and the Secretariat of Prizes and Betting (SPA) with the required individualised information. Financial and payment institutions then have seven days from receipt of that information to complete refunds.^[1]

Closing an operation or losing an authorisation does not eliminate liabilities arising from the period in which the operator was authorised. Regulatory, tax, anti-money laundering, responsible gambling, sports-integrity, reporting and record-retention obligations continue to apply, including a minimum five-year record-retention requirement.^[1]

2. Advertising, marketing and sponsorship

The advertising restriction is immediate. From 25 September 2026, new communication, advertising, publicity, marketing and sponsorship activities relating to fixed-odds betting may no longer be launched or carried out in Brazil.^[1]

The prohibition covers content directed at the Brazilian public that offers, promotes, publicises or facilitates access to fixed-odds betting, regardless of the medium, format or remuneration model.^[1]

The MP also contains a specific exception for content published, disclosed or displayed before 25 September 2026 where betting advertising appears only incidentally to that pre-existing content.^[1]

Important distinction

The 10-day period ending on 5 October 2026 does not postpone the advertising prohibition. It is a transition period for removing advertising materials and sponsorship signage that were already being displayed when the MP was published. New betting advertising is prohibited from 25 September 2026.

The regime reaches beyond betting operators themselves. Internet application providers must adopt measures to prevent prohibited content from circulating on their services, including third-party content; app stores and operating-system providers must prevent prohibited products or services from being made available.^[1]

This aspect of the measure is therefore relevant to technology companies, media and advertising businesses, app stores, sponsors and other companies supporting or interacting with the sector.

3. Payments and enforcement

Except for transactions required to wind down operations and repay bettors, financial institutions, payment institutions and payment-arrangement participants may not process, settle or facilitate fixed-odds betting transactions. The Central Bank is required to establish an electronic data-sharing mechanism to support the rejection and interbank return of funds connected with illegal betting activity.^[1]

The Ministry of Finance and the Ministry of Justice and Public Security may also request the blocking or redirection of betting websites, with implementation involving Anatel and, for ".br" domains, CGI.br.^[1]

For certain internet-platform obligations, sanctions may include warnings, fines, temporary suspension and, in specified circumstances, prohibition from carrying out activities. The statutory maximum fine can reach 10% of the Brazilian turnover of the relevant economic group, subject to the alternative calculation and cap set out in the MP.^[1]

4. New inter-agency enforcement structure

MP 1,394/2026 created the Interinstitutional Committee for the Supervision of Illegal Fixed-Odds Betting Operations and Advertising. Decree No. 13,128/2026, published on 28 September 2026, regulates the Committee.^[4]

The Committee is a deliberative body coordinated within the Presidency and includes representatives of several public authorities, including the Ministry of Finance, Ministry of Justice and Public Security, Federal Police, Central Bank, Federal Revenue

Service, COAF, Anatel and the Brazilian Data Protection Authority. Its functions include information sharing, defining joint enforcement protocols, coordinating measures relating to website/app blocking, interruption of financial flows and removal of prohibited advertising, and referring potential administrative, tax or criminal offences to the competent authorities.^[4]

The Committee coordinates enforcement by the authorities that already hold the relevant statutory powers; it does not replace all of those authorities with a single new regulator.^[4]

5. Key dates

DATE	WHAT HAPPENS
25 Sep	MP enters into force. New betting advertising is prohibited immediately; new authorisations and new funding of transactional accounts are restricted.
5 Oct	Deadline to disable betting websites/apps; unresolved bets are void; deadline to remove pre-existing advertising materials and sponsorship signage.
7 Oct	Two-day post-shutdown deadline for operator liquidity and bettor-information obligations under Article 8.
13 Oct	Current deadline for members of Congress to submit amendments to the MP.
25 Oct	Existing federal, state and Federal District fixed-odds betting authorisations are scheduled to terminate.
9 Nov	Constitutional urgency regime begins if the MP has not yet been considered.
23 Nov	End of the initial 60-day effectiveness period; if review is incomplete, the MP may be extended once for a further 60 days.

AMENDMENT WINDOW

The initial amendment deadline was subsequently extended by the Presidency of the National Congress until 13 October 2026 in light of the general-election period.

The current deadline is recorded on the official Congressional docket.^[2]

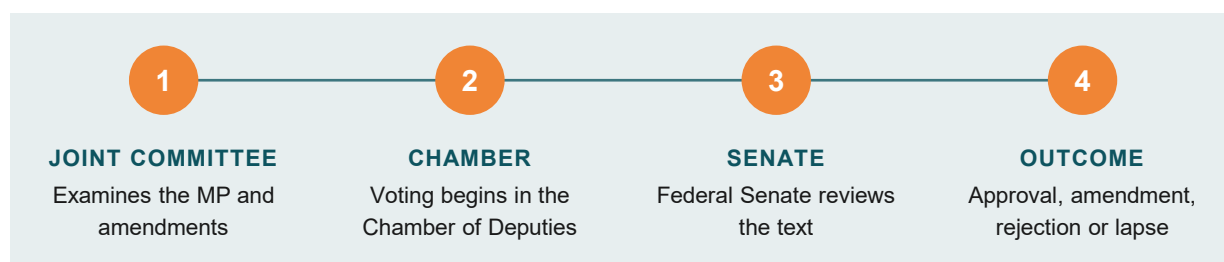
6. How a Brazilian provisional measure works

A provisional measure (medida provisória, or "MP") is issued by the President in cases of relevance and urgency and has force of law immediately upon publication. It must then be submitted to Congress.^[3]

As a rule, an MP remains effective for 60 days and may be extended once for another 60 days if Congress has not completed its review. The

constitutional clock is suspended during Congressional recess. If the MP has not been considered within 45 days, it enters an urgency regime.^[3]

A joint committee of Deputies and Senators must examine the MP and issue an opinion before separate plenary consideration by the Chamber of Deputies and the Federal Senate. The joint committee for MP 1,394/2026 was designated on 30 September 2026.^{[2][3]}



Scenario A - approval as issued

If both Houses approve the original text without substantive amendments, the MP is converted into permanent legislation.

Scenario B - approval with amendments

Congress may amend the measure and approve a Conversion Bill (Projeto de Lei de Conversão). The resulting text could therefore differ materially from the MP currently in force. If a Conversion Bill changes the original wording, the original MP remains fully in force until the bill is sanctioned or vetoed by the President.^[3]

Scenario C - express rejection

If Congress rejects the MP, it ceases to have effect. Congress must regulate, by legislative decree, the legal relationships created while the MP was in force. If no such decree is issued within 60 days after rejection or lapse, legal relationships constituted and acts performed during the MP's effectiveness remain governed by it.^[3]

Scenario D - lapse without a final vote

If the MP reaches the end of the applicable constitutional period without being converted into law, it loses effectiveness. The same constitutional rules on legal relationships created during its effectiveness apply.^[3]

Why this matters for existing licences

If authorisations have already terminated before Congress rejects the MP or allows it to lapse, the Constitution does not itself state that those authorisations automatically revive. Their treatment may therefore depend on transitional legislation, administrative action or judicial decisions.

7. Judicial challenges already under way

MP 1,394/2026 has already generated constitutional litigation before the STF. The official court dockets confirm the filing of ADI 8,024 and ADI 8,027, both with requests for interim relief.^{[5][6]}

ADI 8,024 - ANSEJA

Filed on 27 September 2026 by the Associação Nacional pela Segurança Jurídica dos Jogos e Apostas (ANSEJA), ADI 8,024 challenges MP 1,394/2026 and seeks interim relief. The pleadings reviewed in preparing this update also raise issues concerning the constitutional requirements for provisional measures, legal certainty, legitimate expectations, transition periods, existing authorisations, authorisation fees and investments made under the previous framework.

ADI 8,027 - ANJL

Filed on 28 September 2026 by the Associação Nacional de Jogos e Loterias (ANJL), ADI 8,027 also challenges MP 1,394/2026 and includes a request for interim relief. The official STF docket records the filing and subsequent requests for admission as amici curiae.^[6]

Related constitutional proceedings

ANJL and the Brazilian Institute for Responsible Gaming (IBJR), which participate as amici curiae in pre-existing constitutional cases concerning the betting regulatory framework, have also submitted requests for urgent relief in light of MP 1,394/2026. These requests seek, in different formulations, to preserve the existing regulated market or extend the transition while the constitutional and legislative review is pending.

Separate federal action

A separate popular action (ação popular), case N° 1109428-06.2026.4.01.3400, was also filed before the Federal Court in Brasília challenging certain effects of the MP, including the termination of existing betting authorisations and related enforcement measures. This proceeding was identified in the court materials reviewed for this update.

Status as at 2 October 2026

No decision suspending MP 1,394/2026 has been identified in the official STF dockets reviewed for this update. The measure should therefore presently be treated as effective. Because this position may change quickly, the judicial status should be checked again immediately before circulation.

8. A parallel legislative initiative: Bill No. 5,477/2026

On 25 September 2026, the Federal Government also submitted Bill No. 5,477/2026 ("PL 5,477/2026") to the Chamber of Deputies. The Bill proposes amendments to Law No. 13,756/2018 and to the Criminal Misdemeanours Act to address crimes relating to fixed-odds betting and to delimit the scope of the existing offence of illegal gambling.^[7]

The use of a separate bill is legally significant because the Federal Constitution prohibits provisional measures from legislating on criminal law. MP 1,394/2026 can therefore establish the immediate regulatory prohibition and transition regime, while the proposed criminal-law layer must proceed through the ordinary legislative process.^{[3][7]}

MP 1,394/2026 vs. PL 5,477/2026

MP 1,394/2026 is already in force and regulates the prohibition, wind-down and enforcement framework. PL 5,477/2026 is not yet law; it seeks to add criminal-law consequences and will only produce those effects if enacted.

The Federal Government requested constitutional urgency for PL 5,477/2026. The Chamber of Deputies currently records a 45-day period for consideration from 29 September to 12 November 2026, with the constitutional urgency mechanism affecting the Chamber agenda from 13 November if the proposal has not been considered by then.^[7]

9. Why this matters beyond the betting sector

The immediate impact of MP 1,394/2026 is concentrated in the betting industry, but the consequences extend beyond licensed operators. The new framework may affect investors and shareholders, sports organisations and sponsorship counterparties, advertising and media companies, financial institutions and payment providers, technology suppliers, app stores, online platforms and other businesses whose commercial arrangements depend on the Brazilian betting ecosystem.

The measure is also relevant more broadly to international companies operating in regulated

Brazilian markets. The legislative and judicial debate raises wider questions concerning regulatory transition, investments made in reliance on government-issued licences, the treatment of existing authorisations when policy changes, and the legal consequences of a provisional measure that may produce significant effects before Congress has completed its review.

For the time being, those broader issues must be distinguished from the immediate legal position: **MP 1,394/2026 remains in force, and its statutory deadlines continue to apply unless the relevant provisions are changed by Congress or suspended by the courts.**^{[1][2]}

Official sources and further reading

- [1] Presidency of the Republic - Provisional Measure No. 1,394/2026 - [official source](#)
- [2] National Congress - MPV 1,394/2026 official docket and legislative calendar - [official source](#)
- [3] Federal Constitution - Articles 62 and 64 - [official source](#)
- [4] Presidency of the Republic - Decree No. 13,128/2026 - [official source](#)
- [5] Federal Supreme Court - ADI 8,024 official docket - [official source](#)
- [6] Federal Supreme Court - ADI 8,027 official docket - [official source](#)
- [7] Chamber of Deputies - Bill No. 5,477/2026 official docket - [official source](#)

This update is intended as a general overview and does not constitute legal advice. The position described above reflects the official sources reviewed as at 2 October 2026 and may change as the legislative and judicial proceedings develop.

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