

NEWSLETTER No. 125

FEBRUARY 2025



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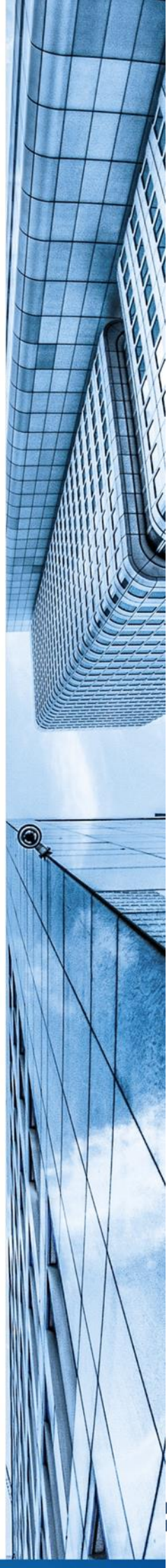
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SUMMARY

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CNJ IMPLEMENTS TOOL ENABLING THE BLOCKING OF SPECIFIC DEBTOR ASSETS

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CNJ IMPLEMENTS TOOL ENABLING THE BLOCKING OF SPECIFIC DEBTOR ASSETS

On December 10th, 2024, the National Justice Inspectorate of Brazilian National Council of Justice (CNJ) published Provision No. 188/2024, which regulates the operation of the National Asset Unavailability Center 2.0. This system is designed for registering orders of unavailability of specific or undetermined assets, as well as orders for the cancellation of such unavailability.

In effect since January 14th, 2025, CNJ Provision No. 188/2024 repealed CNJ Provision No. 39/2024, which had initially established the National Asset Unavailability Center as a centralized platform for all judicial and administrative communications regarding asset unavailability, to ensure greater efficiency in these orders.

With the National Asset Unavailability Center 2.0, judges and administrative authorities can now order the unavailability of specific assets belonging to a debtor, rather than automatically affecting all identified assets in their estate.

Changes Introduced by CNJ Provision No. 188/2024:

- (i) all unavailability and cancellation orders must be exclusively submitted to real estate registry officials through the platform. Other methods, such as warrants, official letters, digital mailbags, or electronic messages, are now prohibited;
- (ii) in cases of auction, sale, or adjudication, the judicial authority responsible for these measures must explicitly order the cancellation of other constraints related do different legal proceedings. The interested party is responsible for paying the corresponding fees;
- (iii) a consultation of the National Asset Unavailability Center 2.0 database is mandatory for all notaries and real estate registrars when performing their duties and official acts, in accordance with the law and regulatory provisions. The results of the consultation must be recorded in the notarial act. The existence of an unavailability order does not prevent the execution of a public deed, but the parties must be properly informed, and this condition must be explicitly mentioned in the document.

For further details and access to the full text of Provision No. 188/2024, visit the National Council of Justice website (www.cnj.jus.br).