



MANUAL OF PROCEDURES TO INVEST IN MEXICO

**DIRECTORATE OF INTERNATIONAL AFFAIRS
AND PUBLIC POLICY**

This manual provides clear and timely information about the regulatory regime applicable to foreign investment in Mexico and the procedures that shall be carried out to be established legally in national territory, with the purpose of facilitating investment by foreigners in the country.

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The information outlined in this manual was obtained from the applicable laws and regulations to the date of its conclusion, on 30 August 2016.*

*The fees associated with the procedures contain the quantities set out in the corresponding law (Ley Federal de Derechos, in Spanish) and updated in the Fiscal Miscellaneous Resolution for 2017 and its annex 19.

Mexico City, 30 August 2016.

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1. INTRODUCTION

Mexico is an attractive and convenient destination to investments particularly given its highly qualified population, its strategic geographical location, the size and the strength of its internal market, its capacity to produce advanced manufacturing, the existence of specialized clusters in certain sectors and the constant development of services and infrastructure necessary to participate actively in the international markets.

The country also offers an open economy that guarantees access to the most important international markets through an extensive network of free trade agreements. Moreover, its legal framework is constantly revised in order to create a more conducive environment for productive investments. In this regard, according to the World Investment Report 2016, prepared by the United Nations Conference on Trade and Development (UNCTAD), Mexico ranked in the 15th position in 2015 as a recipient of FDI worldwide. Furthermore, in a survey conducted by UNCTAD among the most important multinational enterprises on the top prospective host countries, Mexico ranked as the 8th more attractive country for establishing investments during the period 2016–2018.

Notwithstanding, the Secretariat of Economy, through the Directorate General of Foreign Investment (DGIE, in Spanish), has prepared this manual in order to facilitate even more the establishment of investments by foreigners in the country. To this end, it provides clear and timely information about the regulatory regime applicable to foreign investments and, more specifically, on the procedures and formalities that must be fulfilled in order to perform economic activities in Mexico.

The procedures and formalities covered by this manual are grouped according to the different schemes in which foreign investment might participate in economic activities in Mexico, i.e. as foreign individuals or foreign entities that wish to invest in the country through the opening of an establishment or the acquisition, expansion or relocation of an existing one; or through their participation as shareholders in the capital stock of Mexican companies to be established or already established in Mexico.

It should be noted that the procedures and formalities contained in this manual are only the ones needed to operate a general low-impact establishment at the federal order of Government, and thus, other procedures and formalities might be needed depending on factors such as the economic activity and size of the enterprise, among others. There are also other procedures and formalities that must be carried out at the state and municipal level in order to operate.

Finally, the manual also includes a special section on the foreign investment regime in Mexico, a section on the regime applicable to the acquisition of real estate by foreigners, and another on the different types of corporations.

2. ESTABLISHMENT OF FOREIGN INVESTMENT IN MEXICO

2.1 SCHEMES OF PARTICIPATION OF FOREIGN INVESTMENT.

Foreigners may perform economic activities in Mexico through the following schemes:

Foreign individuals

- Individuals of a nationality other than Mexican who wish to invest in the country through the opening of an establishment or the acquisition, expansion or relocation of an existing one.

Foreign corporations

- Corporations created in accordance with the law of a foreign country, that wish to invest in Mexico through the opening of an establishment or the acquisition, expansion or relocation of an existing one.

Incorporation of a Mexican legal entity or acquisition of shares in the capital stock of Mexican companies

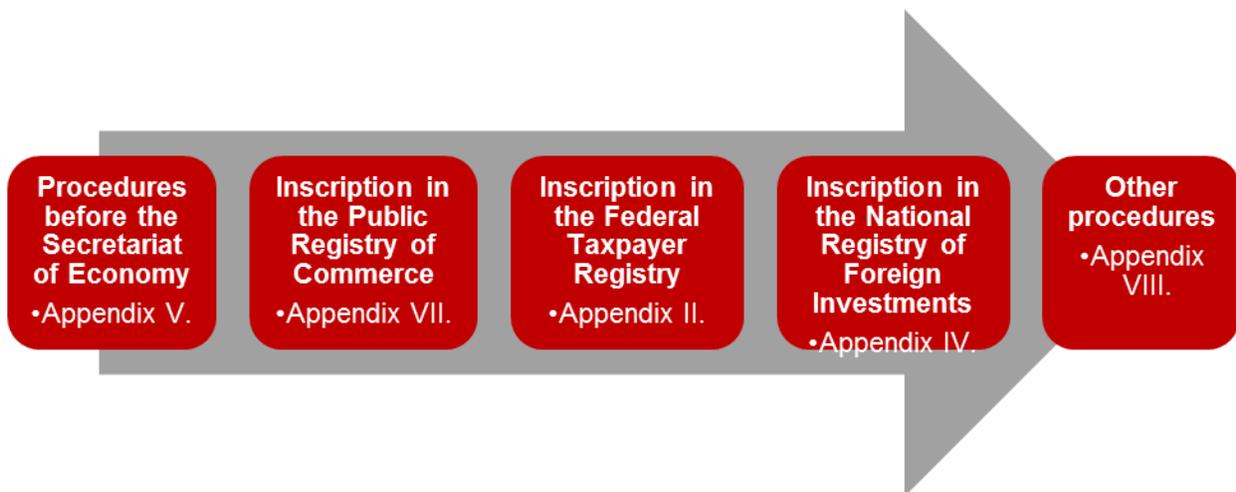
- Foreign individuals or foreign entities that wish to participate in the creation of a Mexican corporation or acquire some kind of participation in an existing one.

2.2 PROCEDURES THAT FOREIGN INDIVIDUALS SHALL CARRY OUT IN ORDER TO INVEST IN MEXICO.



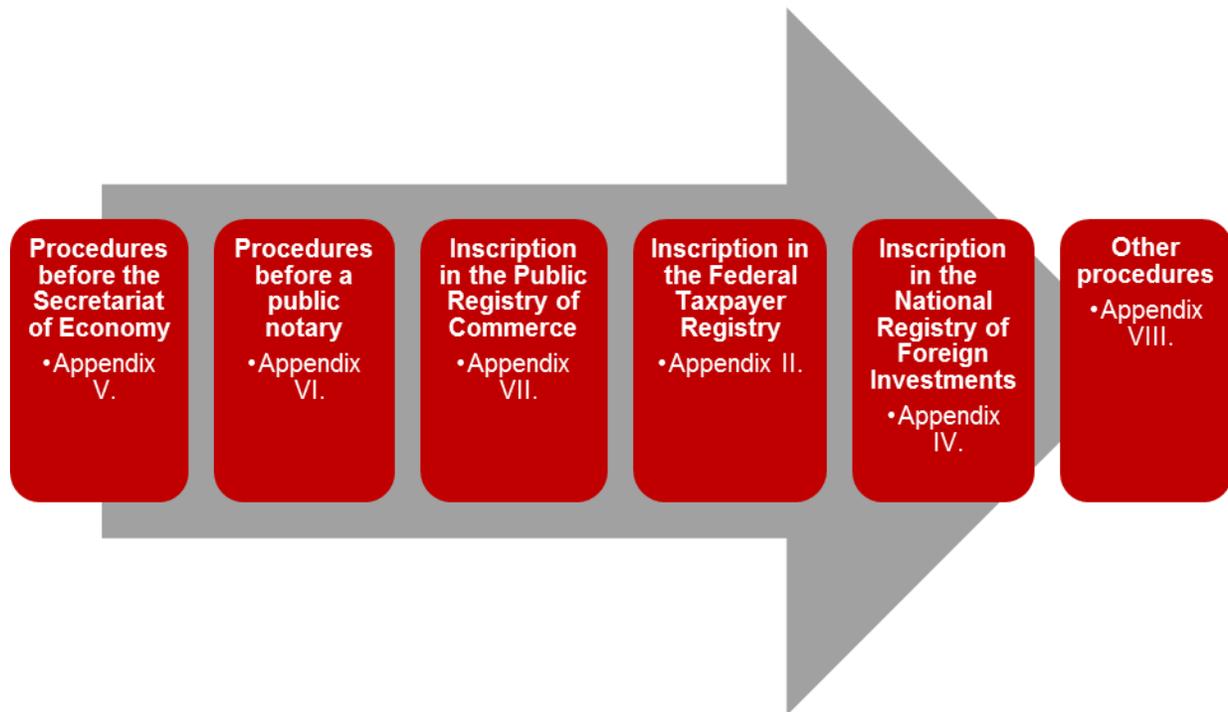
Depending on the economic activity that the foreign individuals intend to carry out, in addition to the above mentioned procedures, in some cases they shall comply also with some of the procedures listed in "Appendix III. Authorization of the National Foreign Investment Commission". (See Chapter 3. Regime of foreign direct investment in Mexico).

2.3 PROCEDURES THAT FOREIGN ENTITIES SHALL CARRY OUT IN ORDER TO INVEST IN MEXICO.



Depending on the economic activity that the foreign entities intend to carry out, in addition to the above mentioned procedures, in some cases they shall comply also with some of the procedures listed in "Appendix III. Authorization of the National Foreign Investment Commission". (See Chapter 3. Regime of foreign direct investment in Mexico).

2.4 PROCEDURES TO INCORPORATE A MEXICAN LEGAL ENTITY OR ACQUIRE SHARES IN THE CAPITAL STOCK OF MEXICAN COMPANIES



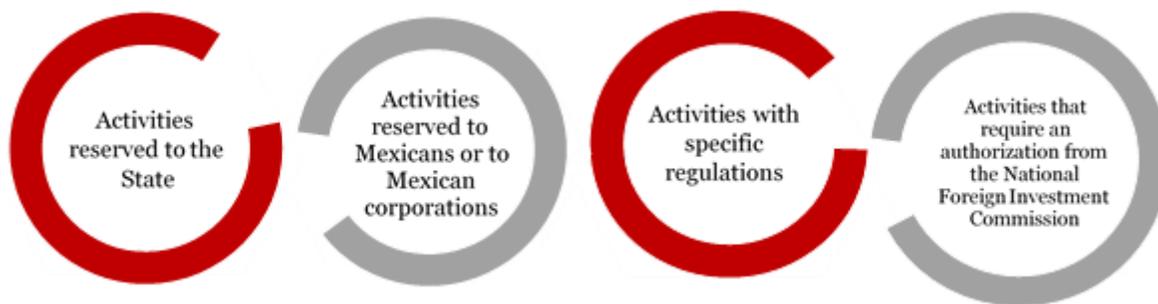
Depending on the economic activity that the Mexican company intends to carry out, in addition to the above mentioned procedures, in some cases it shall comply also with some of the procedures listed in "Appendix III. Authorization of the National Foreign Investment Commission". (See Chapter 3. Regime of foreign direct investment in Mexico).

3. REGIME OF FOREIGN DIRECT INVESTMENT IN MEXICO

The Foreign Investment Law (FIL) sets the specific rules that allow the entry of foreign direct investment (FDI) to the country and encourage its contribution to national development.

According to article 4 of the FIL, “foreign investment may participate in any proportion in the capital of Mexican companies, acquire fixed assets, enter new fields of economic activity or manufacture new product lines, open and operate establishments, and expand or relocate existing establishments, except as otherwise provided herein”. In other words, **foreigners are free to participate or carry out any lawful economic activity, provided there is no restriction in the law.**

Therefore, it is important to analyze the economic activities in which the FIL establishes a limitation, classified into the following groups:



3.1 ACTIVITIES RESERVED TO THE STATE

Some activities are strategic for the country, and therefore only the Mexican State may carry them out. These activities, listed in article 5 of the FIL, are the following:

- a) Exploration and extraction of oil and other hydrocarbons, as provided by articles 27, seventh paragraph, and 28, fourth paragraph, of the Political Constitution of the United Mexican States and the respective secondary Law.
- b) Planning and control of the national electric system, as well as the public services of transmission and distribution of electricity, as provided by articles 27, paragraph sixth, and 28, paragraph fourth, of the Political Constitution of the United Mexican States and the respective secondary Law.
- c) Generation of nuclear energy.
- d) Radioactive minerals.
- e) Telegraph.
- f) Radiotelegraphy.
- g) Postal service.
- h) Bank note issuing.
- i) Minting of coins.
- j) Control, supervision and surveillance of ports, airports and heliports.

3.2 ACTIVITIES RESERVED TO MEXICANS OR TO MEXICAN CORPORATIONS

There are some economic activities that only Mexicans or Mexican corporations, with the so-called “foreigners exclusion clause”, might carry out¹. These activities, listed in article 6 of the FIL, are:

- a) Domestic land transportation for passengers, tourism and freight, not including messenger or courier services.
- b) Development banking institutions, under the terms of the law governing the matter.
- c) Rendering of professional and technical services set forth expressly by applicable legal provisions.

3.3 ACTIVITIES WITH SPECIFIC REGULATIONS

These are companies and activities in which foreign investment may participate, but only up to a maximum limit of shareholding. Article 7 of the FIL lists them, with the following limits of participation:

- a) Up to 10% in cooperative companies for production.
- b) Up to 25% in domestic air transportation; air taxi transportation; and specialized air transportation.
- c) Up to 49% in:
 - i. Manufacture and commercialization of explosives, firearms, cartridges, ammunitions and fireworks, not including acquisition and use of explosives for industrial and extraction activities nor the preparation of explosive compounds for use in said activities.
 - ii. Printing and publication of newspapers for circulation solely throughout Mexico.
 - iii. Series "T" shares in companies owning agricultural, ranching, and forestry lands.
 - iv. Fresh water, coastal, and exclusive economic zone fishing not including fisheries.
 - v. Integral port administration.
 - vi. Port pilot services for inland navigation under the terms of the law governing the matter.
 - vii. Shipping companies engaged in commercial exploitation of ships for inland and coastal navigation, excluding tourism cruises and exploitation of marine dredges and devices for port construction, conservation and operation.
 - viii. Supply of fuel and lubricants for ships, airplanes, and railway equipment.
 - ix. Broadcasting. Within this maximum of foreign investment subject to the reciprocity that exists in the country of constitution of the investor or

¹ The Foreigners Exclusion Clause is an express agreement or covenant forming an integral part of the corporate bylaws and setting forth that such corporations shall not admit, directly or indirectly, foreign investors or corporations with foreigners admission clause, as partners or stockholders.

economic agent who exercise control, in the last instance, directly or indirectly.

3.4 ACTIVITIES THAT REQUIRE AN AUTHORIZATION FROM THE NATIONAL FOREIGN INVESTMENT COMMISSION.

Corporations engaged in certain activities, may be able to accept foreign investment only up to a maximum of 49% of shareholding, in principle. However, if foreigners want to acquire a higher percentage - even up to 100% - they can do so if they previously obtain a favorable resolution from the National Foreign Investment Commission.

The activities included in this category, listed in article 8 of the FIL, are:

- a. Port services in order to allow ships to conduct inland navigation operation, such as towing, mooring and barging.
- b. Shipping companies engaged in the exploitation of ships solely for high-seas traffic.
- c. Concessionaire or permissionaire companies of air fields for public service.
- d. Private education services of pre-school, elementary, middle school, high school, college or any combination.
- e. Legal services.
- f. Construction, operation and exploitation of general railways, and public services of railway transportation.

A special provision is also contained in article 9 of the FIL. According to this provision, a favorable resolution from the National Foreign Investment Commission is also required for foreigners to participate, directly or indirectly, in a percentage higher than 49% of the capital stock of Mexican companies when the aggregate value of the assets of such companies at the date of acquisition exceeds the amount determined annually by such Commission. This amount is annually published in the Official Gazette of the Federation and may be found at the website of the Secretariat of Economy, in this case, the General Resolution number 17, is the one that is currently in force².

To consult in detail the procedures that shall be carried out before the National Foreign Investment Commission, it is suggested to consult the Appendix III on the authorizations granted by such Commission.

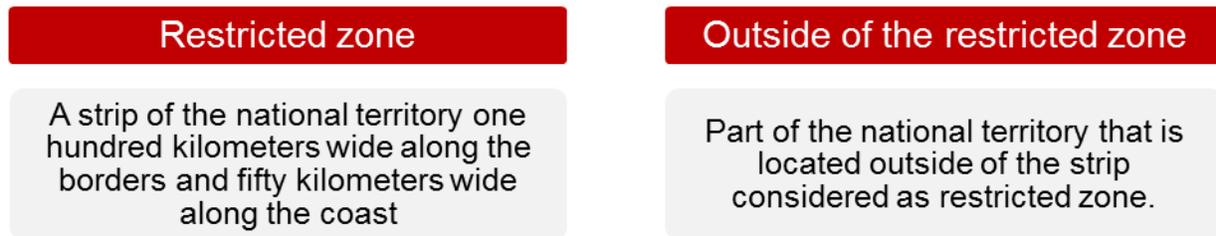
² [Acciones y Programas. Competitividad y Normatividad / Inversión Extranjera Directa.](#)

4. REAL ESTATE REGIME

For the acquisition of real estate within the national territory, it is necessary to consider several factors, which include:

- a) The place where the real estate is located and its use or purpose (residential or non-residential activities) and,
- b) The nature and nationality of the acquirer of the real estate.

For the purposes of the location of the real estate, the Political Constitution of the United Mexican States classified the national territory in two zones, each one with different requirements so that nationals and foreigners may acquire the domain or the use and enjoyment of real estate³. These zones are:



On the other hand, the use or purpose, the legal nature of the acquirer and his nationality also determine the mechanisms to obtain the property or the use and enjoyment of real estate. In this regard, the schemes for the acquisition of real estate will depend on whether it is:

- a) Mexican corporations without a foreigners exclusion clause; or
- b) Foreign individuals or foreign legal entities.

The following table summarizes the mechanisms to obtain property or, where appropriate, the possession of real estate according to such schemes.

	Mexican corporations that admit foreigners	Foreign individuals or foreign legal entities
Outside of the restricted zone	Include in their corporate by-laws the agreement provided by Section I of Article 27 of the Political Constitution of the United Mexican States.	Must previously submit a statement agreeing on the terms of Section I of article 27 of the Political Constitution of the United Mexican States and obtain the corresponding permit of the Secretariat of Foreign Affairs.

³ [Article 27, Section I of the Political Constitution of the United Mexican States](#)

Restricted zone	<p>Include in their corporate by-laws the agreement provided by Section I of Article 27 of the Political Constitution of the United Mexican States.</p> <p>For non-residential purposes, only a prior notice to the Secretariat of Foreign Affairs is required.</p> <p>For residential purposes, only the use and enjoyment can be acquired through a trust. Ownership cannot be acquired by any means⁴.</p>	<p>Only the use and enjoyment can be acquired through a trust. Ownership cannot be acquired by any means.</p>
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4.1 ACQUISITION OF REAL ESTATE OUTSIDE THE RESTRICTED ZONE BY MEXICAN CORPORATIONS THAT ADMIT FOREIGNERS.

Mexican corporations that allow foreigners' participation must include within their corporate by-laws the agreement provided for in Section I of Article 27 of the Political Constitution of the United Mexican States in order to acquire real estate outside of the restricted zone.

Through this agreement, foreigners accept to be considered as Mexican nationals and not to invoke the protection of their governments with respect to real estate, under penalty of forfeiting them in favor of the United Mexican States.

4.2 ACQUISITION OF REAL ESTATE WITHIN THE RESTRICTED ZONE BY MEXICAN CORPORATIONS THAT ADMIT FOREIGNERS.

Mexican corporations that allow foreigners' participation must identify the type of use that will be given to real estate, when it is located within the restricted zone. According to this use, they will be bound to carry out one of the following procedures:

⁴ Article 5 of the Regulations to the Foreign Investment Law and to the National Registry of Foreign Investments (RFIL), defines "real estate for residential purposes" as the one intended exclusively for housing the owner or third parties; meanwhile "real estate for non-residential activities" includes, but is not limited to real estate: I. Intended for time-sharing; II. Intended for industrial, commercial or tourism activity and which are simultaneously used for residential purposes; III. Acquired by credit institutions, financial intermediaries and auxiliary credit organizations, for the recovery of amounts owing to them derived from transactions within the scope of their purpose; IV. Used by legal entities to comply with their corporate purpose, consisting in the sale, development, construction and sub-division and other activities included in the development of real estate projects, until the moment of their commercialization or sell to third parties, and V. In general, Intended for commercial, industrial, agricultural, ranching, fishing, forestry and the provision of services.

If the real estate is acquired for residential purposes

- Only the rights of use and enjoyment of the real estate might be acquired through a trust.
- The fiduciary delegate of the credit institution must carry out several procedures before the Secretariat of Foreign Affairs.

If the real estate is acquired for non-residential purposes

- Give notice of the acquisition to the Secretariat of Foreign Affairs, within sixty business days following the acquisition date.

4.3 REQUIREMENTS FOR A FOREIGN INDIVIDUAL OR FOREIGN LEGAL ENTITY TO ACQUIRE REAL ESTATE IN MEXICO.

The procedure that foreign individuals and foreign entities must carry out to acquire ownership or, the rights of use and enjoyment of the real estate within the national territory is the same for both, so the only relevant criterion, in this case, is the location of the asset. In this regard, the procedures to acquire the real estate are the following:

If the real estate is located outside of the restricted zone

- Application FF-SRE-006 or FF-SRE-007 must be submitted before the Secretariat of Foreign Affairs. Through this application the acquirer (foreign individual or foreign legal entity) agrees to be considered as Mexican national and not to invoke the protection of their government with respect to such property, under the penalty of forfeiting it in favor of the Nation.
- An authorization must be obtained from the Secretariat of Foreign Affairs for the acquisition of the real estate, once the above mentioned application is submitted.

If the real estate is located within the restricted zone

- A trust must be constituted in order to grant the foreign individual or legal entity the rights of use and enjoyment of the real estate. Ownership may not be acquired by any means.
- The fiduciary delegate of the credit institution must carry out several procedures before the Secretariat of Foreign Affairs.

To know in detail the procedures that are carried out before the Secretariat of Foreign Affairs for the acquisition of real estate, it is suggested to consult Appendix IX.

5. CORPORATIONS

5.1 TYPES OF CORPORATIONS.

Foreign individuals and foreign legal entities are able to participate in the incorporation of a Mexican company or, where appropriate, acquire any type of participation or interest in an existing Mexican corporation.

For these purposes, the General Law of Commercial Companies recognizes the following types of corporations⁵:

- I. Limited liability stock company (Sociedad Anónima);
- II. Simplified joint stock company (Sociedad por Acciones Simplificada);
- III. Limited liability company (Sociedad de Responsabilidad Limitada);
- IV. Cooperative company (Sociedad Cooperativa);
- V. General partnership (Sociedad en Nombre Colectivo);
- VI. Limited partnership (Sociedad en Comandita Simple); and,
- VII. Limited partnership by shares (Sociedad en Comandita por Acciones).

Accordingly, if foreigners wish to participate in the constitution of a new company, they should consider, among others aspects, the following:

- a) The number of partners with which they intend to establish the company;
- b) The responsibility that they are willing to assume with respect to the obligations incurred by the company; and
- c) The ease to include new partners or to transfer participation in the company.

In practice, the most commonly constituted corporations are the limited liability stock company and the limited liability company, because of the benefits they offer by making a clear separation of the company's capital and the partner's equity.

The following table explains the key features of these two companies:

	Limited liability stock company	Limited liability company
Number of partners	At least two.	A minimum of two and a maximum of fifty.
Integration of the share capital	Shares. The partners (shareholders) can have more than one share.	Equity interests. Partners can only have one equity interest, regardless of the value of their contribution to the company.

⁵ [Article 1 of the General Law of Commercial Companies](#)

Limit of liability of the partners	Up to the amount of their shares.	Up to the amount of their equity interest.
Transfer of the shares of the capital	Shares may be transferred freely.	Requires that partners representing the majority of the capital stock approve the transfer of the equity interest.
Limits on foreign participation	None in principle. However, the partners of a Mexican corporation are allowed to include a “foreigners’ exclusion clause” within the by-laws of the corporation that would prevent foreigners to participate in the company, directly or indirectly.	

5.2 SIMPLIFIED JOINT STOCK COMPANY (SOCIEDAD POR ACCIONES SIMPLIFICADA, IN SPANISH).

On March 14, 2016, a decree was published in the Official Gazette of the Federation ([Decreto por el que se reforman y adicionan diversas disposiciones de la Ley General de Sociedades Mercantiles](#)) that reformed and added several provisions of the General Law of Commercial Companies, and created a new corporate regime called “Simplified Joint Stock Company”.

This type of corporation does not require a specific number of partners (it may be even unipersonal), and their liability is limited to the payment of their contributions, represented by shares. It does not have minimum capital requirements and its constitution is free and by electronic means of communication.

However, the Simplified Joint Stock Company is more suitable for micro and small companies, since the annual total revenues of this type of company may only reach five million Mexican pesos. In case of exceeding this amount, the company must be transformed into any other type of corporate regime referred to in the General Law of Commercial Companies.

APPENDIX I. MIGRATORY PROCEDURES

Foreigners who wish to invest in Mexico must comply with the requirements of the Law on Migration, its regulations and other applicable legal provisions.

In this regard, all foreigners must obtain a visa before travelling to Mexico⁶, unless they are nationals of countries with which Mexico has signed a visa abolition agreement or countries to which visa requirements were removed by unilateral decision⁷. In these cases, foreigners are able to arrive to the immigration inspection facilities and request the entry into Mexico under the condition of stay of **visitor without permission to perform remunerated activities**.

In addition, foreigners who submit one of the following documents do not require a Mexican visa:

- a. Document attesting permanent residence in Canada, United States of America, Japan, the United Kingdom of Great Britain and Northern Ireland, or any of the countries belonging to the Schengen area, as well as members of the Pacific Alliance (Chile, Colombia and Peru);
- b. A valid visa from Canada, the United States of America, Japan, the United Kingdom of Great Britain and Northern Ireland, or any of the countries belonging to the Schengen area;
- c. APEC Business Travel Card (ABTC) approved by Mexico;
- d. A certificate stating that the foreigner is a member of the crew of the aircraft in which he arrived; and
- e. Seaman's book, if he is a member of the crew of the boat arriving to a Mexican port in international crossing.

A. VISAS.

Nationals of countries to which the Mexican State requires a visa as well as those foreigners who, regardless of their nationality, wish to enter and remain in Mexico for more than 180 days must request one of the following visas to invest in Mexico:



⁶ [Countries and regions that require a visa to travel to Mexico.](#)

⁷ [Countries and regions that do not require a visa to travel to Mexico.](#)

A.1 GENERAL ASPECTS OF THE PROCEDURES FOR OBTAINING A VISA.

Where are the visas obtained?

Visas are processed and obtained personally in any consulate or embassy of Mexico abroad⁸.

An appointment may be scheduled over the phone or online [MEXITEL]⁹.

Which documents are needed?

- i. Visa application form.
- ii. Valid passport or identity and travel document.
- iii. A recent passport-size photograph, in color, with white background and frontal view.
- iv. Document accrediting legal entry and stay in the country (in case he is not a national of the country where he is applying for visa).

What is the cost?



A.2 VISITORS VISA WITHOUT PERMISSION TO PERFORM REMUNERATED ACTIVITIES (SHORT STAY)

This visa authorizes foreigners to enter the country, transit the national territory and remain on it for an uninterrupted period that does not exceed 180 days from the date of entry. However, this visa does not allow the foreigner to perform any remunerated activities. In this regard, some of the specific activities that might be performed with this visa are:

- i. Establish, develop or manage a foreign investment;
- ii. Provide specialized services previously agreed or referred to in a contract of transfer of technology, patents and trademarks, sale of machinery and equipment, technical training of personnel or of any other process of production of a company established in Mexico;
- iii. Attend meetings or sessions of boards of directors of companies legally established in Mexico; and
- iv. Perform managerial or executive functions, or those that involve specialized knowledge in a company or one of its subsidiaries or affiliates established in Mexico.

⁸ [Mexican consulates abroad](#) and [Mexican embassies abroad](#).

⁹ Appointments by [phone](#) and [online](#).

Which documents are needed?

- I. Visa application form.
- II. Passport or valid travel and identity document (original and copy of the page containing the photograph and personal data).
- III. One recent passport-size photograph (measuring 3.9 cm x 3.1 cm maximum), face uncovered, no eyeglasses, frontal view, in color and with white background.
- IV. Original and copy of the migratory document that prove the legal stay in the country, if the applicant is not a national of the country from where he is applying for the visa.
- V. Supporting documents as indicated under one of the following categories:
 - a. Personal ties (property, employment).
 - i. Original and copy of the deed to real estate duly registered under the name of the applicant and proof of stable employment. In both cases for a minimum period of two years, or
 - ii. Original and copy of the deed to real estate duly registered under the name of the applicant and a document proving ownership or shares in business, issued by the competent authorities of each country. In both cases for a minimum period of two years.
 - b. Economic solvency.
 - i. Original and copy of documents showing that the applicant has an employment or a pension with a tax-free monthly income higher than the equivalent to 100 days of the general minimum wage in Mexico City, during the past three months, and proof of stable employment, for a minimum period of one year, or
 - ii. Original and copy of investment receipts or bank account statements showing an average monthly balance equivalent to 300 days of the general minimum wage in Mexico City, during the past three months, or
 - iii. In the case of foreigners who are pursuing regular studies in institutions of higher education, they must submit the original proof of studies and the original proof of stable employment, pension or scholarship with a monthly income equivalent to 60 days of the general minimum wage in Mexico City, during the past three months.
- VI. Payment of fees in cash for the processing of visa application for foreign passports (if applicable).

Authority's response time

Ten business days.

A.3 VISITORS VISA WITHOUT PERMISSION TO PERFORM REMUNERATED ACTIVITIES (LONG STAY).

The characteristics of this visa are similar to the visa for visitors without permission to perform remunerated activities for a short stay. The only difference is that it is valid for ten years.

Who should apply?

- Foreigners with high economic solvency.
- Frequent travelers.
- Prominent persons.
- Supervisors of a foreign company with a subsidiary in national territory.
- Executive personnel of subsidiaries or commercial offices of Mexican companies abroad.
- Family of a Mexican, of a temporary resident or permanent resident, or of a diplomatic or consular official accredited in Mexico.

Which documents are needed?

- I. Visa application form.
- II. Passport or valid travel and identity document (original and copy of the page containing the photograph and personal data).
- III. One recent passport-size photograph (measuring 3.9 cm x 3.1 cm maximum), face uncovered, no eyeglasses, frontal view, in color and with white background.
- IV. Original and copy of the migratory document that proves the legal stay in the country if the applicant is not a national of the country from where he is applying for the visa.
- V. Submit supporting documents as indicated under one of the following categories:
 - a. Economic solvency.
 - i. Original and copy of investment receipts or bank account statements showing an average monthly balance equivalent to 300 days of the general minimum wage in Mexico City, during the past six months, or
 - ii. Original and copy of documents showing that the applicant has an employment or a pension with a tax-free monthly income higher than the equivalent to 100 days of the general minimum wage in Mexico City, during the past three months.
 - b. Frequent traveler.
 - i. A copy of the passport containing three valid visas or migratory stamps, providing these are not from neighboring countries to the country of residence of the applicant.
 - c. Prominent person.
 - i. Statement from the applicant along with the supporting documentation describing the activities or specialties with international recognition, or indicating that he is a person of recognized national or international prestige or another prominent person, or a scientist, researcher, humanist, artist, athlete, or journalist of national or international prestige.
 - d. Supervisors of a foreign company with a subsidiary in national territory or executive personnel of subsidiaries or commercial offices of Mexican companies abroad.
 - i. Original and copy of the constituent instrument or the document attesting the legal constitution of the company or subsidiary; and the

- original of the letter of the company or the subsidiary in which it is expressly stated that the applicant is the supervisor and that the payment for the services that will be provided in the country will be paid by the company, or
- ii. Original and copy of the constituent instrument, the document attesting the legal constitution of the subsidiary of a Mexican Company or the document attesting the commercial representation; and the original of the letter of the company or commercial office in which it is expressly stated that the applicant is an executive or that he has been appointed as a commercial representative.
 - e. In the case of family of a Mexican national, of a temporary resident or permanent resident, or of a diplomatic or consular official accredited in Mexico, please consult the documentation required in the General Guidelines for Visas Issued by the Secretariat of the Interior and the Secretariat of Foreign Affairs¹⁰.
- VI. Payment of fees in cash for the processing of visa application for foreign passports (if applicable).

Authority's response time

Ten business days.

A.4 THE ELECTRONIC AUTHORIZATION SYSTEM (SAE, IN SPANISH)

Who can apply for an electronic authorization?

Foreigners of Russian, Turkish and Ukrainian nationality who wish to travel to Mexico by airway for tourism, transit or business purposes, under the condition of stay of visitor without permission to perform remunerated activities, to remain in the country for an uninterrupted period not longer than 180 days.

Which documents are needed?

- Valid passport.
- Submit an application online at:
<https://www.inm.gob.mx/sae/publico/solicitud.html>

Which are the main features of the electronic authorization?

- The information of the electronic authorization system and the application is available in Spanish, English, Russian and Turkish language.
- It is not necessary to obtain a consular visa.
- The electronic authorization is cost-free.

¹⁰ [Lineamientos Generales para la expedición de visas que emiten las secretarías de Gobernación y de Relaciones Exteriores](#), in Spanish.

How long is the electronic authorization valid?

The electronic authorization is valid for 180 days from the date of its expedition. Although it is valid for only one trip to Mexico, there are no limits on the number of authorizations that may be obtained.

Authority's response time

Immediate resolution.

A.5 TEMPORARY RESIDENCE VISA.

This visa is valid for a single entry, for 180 days. However, once in Mexico, the foreigner may apply for a temporary resident card to remain in the country for no more than four years.

In this case, applications for a temporary resident card must be submitted to the corresponding office of the National Immigration Institute (INM, in Spanish)¹¹, within the following thirty days from the date of entry into the national territory.

Which documents are necessary?

- I. Visa application form.
- II. Valid passport or travel and identity document (original and copy of the page containing the photograph and personal data).
- III. A recent passport-size photograph (measuring 3.9 cm x 3.1 cm maximum), face uncovered, no eyeglasses, frontal view, in color and with white background.
- IV. Original and copy of the migratory document that proves the legal stay in the country, if the applicant is not a national of the country from where he is applying for visa.
- V. Supporting documents as indicated under one of the following categories:
 - a. Economic solvency.
 - i. Original and copy of investment receipts or bank account statements showing an average monthly balance equivalent to 5,000 days of the general minimum wage in Mexico City, during the past twelve months, or
 - ii. Original and copy of documents showing that the applicant has employment or a pension with a tax-free monthly income higher than the equivalent to 300 days of the general minimum wage in Mexico City, during the past six months.
 - b. Investor.
 - i. Deed or policy from a Mexican company signed before a public notary, or a document duly certified by the administrative body or a competent officer

¹¹ [Office hours and locations.](#)

- thereof, stating that the foreigner has shares in the capital stock of a Mexican company, and that the amount of the investment effectively disbursed for the foreigner's share in the company would exceed 20,000 days of general minimum wage in Mexico City; this could be proven by a contract for the purchase of shares or stocks, contract for the transfer of assets or rights to the Mexican company, or a document issued by the company proving the amount contributed for shares in the capital stock, original and copy;
- ii. Document proving the ownership of personal property of fixed assets by a foreigner, used for economic or business purposes, with a value exceeding 20,000 days of the general minimum wage in Mexico City, original and copy; or
 - iii. Documentation proving the conduction of economic or business activities in Mexican territory, which could be proven by documents such as (but not limited to) contracts, service orders, invoices, receipts, business plans, licenses and permits, or a certificate issued by the Mexican Social Security Institute proving that the foreigner employs at least three workers, original and copy.
- VI. Payment of fees in cash for the processing of visa application for foreign passports (if applicable).

Authority's response time

Ten business days.

A.6 PERMANENT RESIDENCE VISA.

This visa authorizes the foreigner to remain in Mexican territory indefinitely. It has a maximum validity for a single entry of 180 days. Once in Mexico, the foreigner must apply for a permanent resident card at the corresponding office of the National Immigration Institute (INM, in Spanish)¹², within the following thirty days from the date of entry into the national territory

Which documents are necessary?

- I. Visa application form.
- II. Valid passport or travel and identity document (original and copy of the page containing the photograph and personal data).
- III. A recent passport-size photograph (measuring 3.9 cm x 3.1 cm maximum), face uncovered, no eyeglasses, frontal view, in color and with white background.
- IV. Original and copy of the migratory document accrediting the legal stay in the country (only in the case that the applicant is not a national of the country where he is applying for visa).
- V. Supporting documents as indicated under one of the following categories:

¹² [Office hours and locations.](#)

- a. Retirees or pensioners.
 - i. Original and copy of investment receipts or bank account statements showing an average monthly balance equivalent to 20,000 days of the general minimum wage in Mexico City, during the past 12 months, or
 - ii. Original and copy of documents showing that the applicant has a pension with a tax-free monthly income higher than the equivalent to 500 days of the general minimum wage in Mexico City, during the past six months.
 - b. In the case of family unity applications, please consult the documentation required in the General Guidelines for Visas Issued by the Secretariat of the Interior and the Secretariat of Foreign Affairs¹³.
- VI. Payment of fees in cash for the processing of visa application for foreign passports (if applicable).

Authority's response time

Ten business days.

B. STAY IN MEXICO.

In places intended for the international transit of persons by land, sea and air, foreigners must submit a valid passport or travel and identity document, a visa and the Multiple Immigration Form (FMM, in Spanish) properly completed at the immigration inspection facilities of the National Immigration Institute.

B.1 THE MULTIPLE IMMIGRATION FORM (FMM, IN SPANISH)

The FMM is the document issued by the National Immigration Institute that allows foreigners to prove their immigration status in the country, under the following conditions of stay:

- I. Visitor without permission to perform remunerated activities.
- II. Visitor with permission to perform remunerated activities.

In the case of having a temporary resident visa or a permanent resident visa, the National Immigration Institute will issue a **Multiple Immigration Form for exchange** with which the foreigner shall process the resident card that accredits the legal stay in national territory.

Where is the FMM obtained?

There are two ways to obtain the FMM, personally, at the points of entry, and electronically in the website www.gob.mx/inm¹⁴.

¹³ ([Lineamientos Generales para la expedición de visas que emiten las secretarías de Gobernación y de Relaciones Exteriores](#), in Spanish).

¹⁴ [Multiple Immigration Form](#).

How long is the FMM valid?

FMM	Validity
Visitor without permission to perform remunerated activities	180 days
Visitor with permission to perform remunerated activities	180 days
For exchange	30 days

The FMM is valid from the date of entry into the national territory until the deadline indicated in the corresponding section.

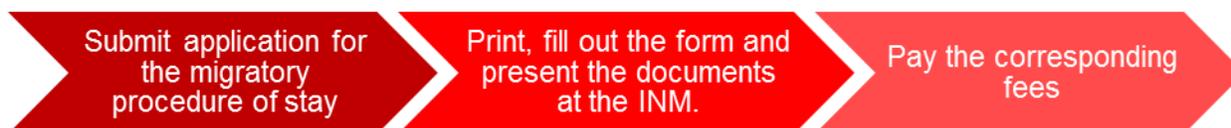
B.2 RESIDENCE CARD

The residence card is a document issued by the National Immigration Institute that proves the legal stay of a foreigner and allows him to remain in national territory, with multiple entries, for as long as it is valid.

The foreigner shall process this card at the office of attention to procedures of the National Immigration Institute corresponding to his domicile¹⁵, or the domicile of his work, within the following thirty days from the date of entry into the national territory.

How to obtain the card?

Applicants must begin the procedure by electronic means¹⁶ and then attend the corresponding office of the National Immigration Institute (INM, in Spanish).



Applications must be submitted from 9:00 to 13:00 hours on business days.

Which documents are necessary?

- i. Valid passport or travel and identity document (original and copy of the page containing the photograph and personal data).
- ii. Valid Multiple Immigration Form (FMM, in Spanish), original.
- iii. Properly completed form (formato básico, in Spanish), original.
- iv. Application format for the migratory procedure of stay, completed electronically in the website and signed by the applicant, original.
- v. Original receipt of the payment of fees.

¹⁵ [Office hours and locations.](#)

¹⁶ [Application format for migratory procedure of stay.](#)

- vi. Three photographs (measuring 2.5 cm x 3 cm), in color, two of them with frontal view and one profile photo showing the right side of the face, with white background, face and ears uncovered, no earrings and no eyeglasses. Snapshots are not accepted.

How long is the card valid?

The temporary resident card is valid for one year with the option to renew it for two, three or up to four years.

The permanent resident card has indefinite validity, in the case of people over 18 years old.

What are the costs?

Temporary resident card, up to 1 year	\$3,715.00 MXN
Temporary resident card, up to 2 years	\$5,567.00 MXN
Temporary resident card, up to 3 years	\$7,050.00 MXN
Temporary resident card, up to 4 years	\$8,356.00 MXN
Permanent resident card	\$4,528.00 MXN

Authority's response time

Fifteen business days.

C. CERTIFICATE OF REGISTRATION OF THE EMPLOYER.

Applicable to individuals and legal entities established in Mexico that issue an offer of employment to a foreigner. It allows an employer to prove its legal personality, attributions and normal operation so that, in subsequent procedures, the employer only have to submit its updated certificate and powers of the legal representative.

How to obtain the certificate?

Applicants must begin the procedure by electronic means¹⁷ and then attend the corresponding office of the National Immigration Institute (INM).

Does it cost?

The procedure is cost-free.

¹⁷ <https://www.inm.gob.mx/tramites/publico/empresa.html>

Which documents are needed?

Legal entities:

- a) Deed of incorporation or the document attesting the legal constitution of the entity as well as its modifications;
- b) Document demonstrating the type of proxy or mandate conferred to the legal representatives, if not included on the instrument of incorporation;
- c) Valid official ID of the legal representative or holder of power of attorney;
- d) Proof of address of the legal entity (expedition date must not exceed thirty days);
- e) Certificate of inscription at the Federal Taxpayer Registry and certificate issued by the competent authority proving the submission of the latest tax statement, and
- f) List of employees and their nationality.

Individuals:

- a) Valid official ID;
- b) Proof of address (expedition date must not exceed thirty days), and
- c) Certificate of inscription at the Federal Taxpayer Registry and certificate issued by the competent authority, accrediting the submission of the latest tax statement.

How long is it valid?

The certificate is valid for an indefinite amount of time. However, it must be annually updated in the same period of tax statements or within thirty days after any change of address, legal representative or proxy.

APPENDIX II. INSCRIPTION AT THE FEDERAL TAXPAYER REGISTRY

All individuals or legal entities that perform or seek to perform economic activities in the country must register at the Federal Taxpayer Registry (RFC, in Spanish). This will allow them to have the necessary means to fulfill its legal obligations for the payment of taxes.

When to apply for registration?

In the case of individuals, within the month following the day in which they have the obligation to submit periodic statements, of payment or informative, on their own behalf or on behalf of third parties, or when they have the obligation to issue tax receipts for the activities carried out.

In the case of legal entities, the application for registration must be submitted at the time when the constituent instrument is signed, through the public notary that notarizes the corresponding instrument, including the companies created in connection with a merger or a division.

When the legal entity is not constituted before a public notary, within the month following that one in which the contract was signed or in which the decree or legal act that created such entity was published.

The partners or shareholders residing abroad of legal entities residing in Mexico, as well as the associates residing abroad of joint-venture associations, are not required to apply for registration, as long as the legal entity or the partner residing in Mexico submits before the tax authorities, within the first three months following the closing of each fiscal year, a list of the partners, shareholders or associates residing abroad, indicating their address, tax residence and tax identification number.

What is the procedure for registration?

The procedure for obtaining the registration must be submitted personally in any Decentralized Administration Office of Services to the Taxpayer (ADSC, in Spanish) of the Tax Administration Service (SAT, in Spanish).

The procedure can also be started electronically (pre-registration) through the website of the SAT¹⁸ and concluded personally at any of the ADSC by appointment, within the ten days that follow the submission of the electronic application.

¹⁸ [Portal of procedures and services.](#)

Which documents are necessary?

1. Individuals

a) Foreigners with residence in Mexico

- Original or certified copy of the valid migratory document, issued by the competent authority.
- Original of the proof of fiscal address (any of those listed in subsection B) of the Definitions Section of the Annex 1-A of the Fiscal Miscellaneous Resolution, RMF in Spanish).
- Original of the valid official ID of the taxpayer or legal representative (voting card issued by the National Electoral Institute, passport, driver's license, or corresponding migratory document issued by the competent authority, if applicable, migratory extension or continuance).
- Acknowledgment of pre-registration in the Registry, if the application was started through the website.

b) Residents abroad with or without permanent establishment in Mexico

In addition to the requirements indicated in the previous subsection that are applicable, they must have:

- Original of the notarized document attesting the designation of the legal representative for tax purposes.
- Certified copy, duly legalized or apostilled by competent authority of the document attesting their tax identification number of the country of residence, when they have the obligation to have this number in such country.

2. Legal entities

a) Residents in Mexico with partners, shareholders or associates residing abroad

- Acknowledgment of pre-registration in the Registry, if the application was started through the website
- Certified copy of the constituent instrument duly notarized.
- In the case of Simplified Joint Stock Companies (S.A.S., in Spanish), contract of the constitution of the company signed electronically by all the shareholders and ballot of registration in the Public Registry of Commerce.

- Original of the proof of fiscal address (any of those listed in subsection B) of the Definitions Section of the Annex 1-A of the Fiscal Miscellaneous Resolution, RMF in Spanish).
- Certified copy of the power of attorney attesting the personality of the legal representative, or simple power of attorney signed by two witnesses and signatures rarified before the tax authorities or before public notary. If the power of attorney was granted abroad, it must be duly legalized or apostilled and had been notarized before a Mexican public notary and, if applicable, having the Spanish translation made by an authorized expert translator.
- Original of the valid official ID of the legal representative (voting card issued by the National Electoral Institute, passport, driver's license, professional license, card of the National Institute of Older Persons or corresponding migratory document issued by the competent authority, if applicable, migratory extension or continuance).
- Federal Taxpayer's Registry of each of the partners, shareholders or associates in the constituent instrument.
- In the case of legal entities and joint-venture associations, residing in Mexico, with partners, shareholders or associates residing abroad who are not obliged to apply for registration in the Federal Taxpayer's Registry, they must use the following generic RFC:
 - Individuals: EXTF900101NI1
 - Legal entities: EXT990101NI1

b) Residents abroad with or without permanent establishment in Mexico

In addition to the requirements indicated in the previous subsection that are applicable, they must have:

- Certified copy of the constituent instrument duly legalized or apostilled, as applicable. If the documents are in a language different than Spanish, must have the Spanish translation made by an authorized expert translator.
- Certified copy, duly legalized or apostilled by competent authority of the document attesting their tax identification number of the country of residence, when they have the obligation to have this number in such country.
- Original of the joint-venture association contract, where applicable, with autograph signature of the managing partner and associates or of their legal representatives.

- Original of the trust agreement, where applicable, with autograph signature of the settlor or trustee or their legal representatives, as well as the legal representative of the fiduciary institution.
- Certified copy of the document duly legalized or apostilled, as appropriate, attesting the agreement of opening of the establishment in the national territory.

What is the procedure for applying personally?

The required documentation must be submitted personally at the ADSC¹⁹ by appointment registered at the website²⁰, or calling MarcaSAT at the telephone 627 22 728 for Mexico City, 01 (55) 627 22 728 for the rest of the country, or 1 877 44 88 728 for the United States and Canada.

What is the procedure for applying electronically?

1. Access the section on procedures ([Trámites](#), in Spanish) in the website of the SAT and choose the option RFC on the top navigation bar.
2. Select the option for Individuals or Legal Entities, as appropriate, in the pre-registration section.
3. Fill in the information requested by the electronic form "Registration to RFC".
4. Submit the application and print preview sheet with the folio number assigned to the procedure.
5. Schedule an appointment and attend to the ADSC closest to your address with the corresponding documentation.
6. Submit the documentation to the tax authorities that will assist the process.

Authority's response time

Once the complete documentation is submitted before the ADSC office, the acknowledgement of registration in the Federal Taxpayer's Registry is obtained that same day.

For more information on this procedure, we invite you to make an appointment and go to the ADSC closest to your address, consult the Internet portal www.sat.gob.mx, or use "Online Orientation" services, where you can access chat services, or the telephone guidance service in MARCASAT at 01-800-46-36-728, where you can receive assistance from 8:00 to 21:00 hours, from Monday to Saturday.

¹⁹ [National directory of tax services offices.](#)

²⁰ [Appointment system.](#)

APPENDIX III. AUTHORIZATION OF THE NATIONAL FOREIGN INVESTMENT COMMISSION

An authorization from the National Foreign Investment Commission is required for:

- a) Foreign investment to participate in a percentage higher than 49% in the economic activities and companies referred to in article 8 of the Foreign Investment Law;
- b) Foreign legal entities, wishing to establish themselves in Mexico, to carry out the economic activities referred to in article 8 of the Foreign Investment Law; and,
- c) Foreign investment to participate, directly or indirectly, in a percentage higher than 49% of the capital stock of Mexican companies when the aggregate value of the assets of such companies at the date of acquisition exceeds the amount determined annually by such Commission, in accordance with article 9 of the Foreign Investment Law²¹.

Where to apply for the authorization?

The procedure is carried out before the National Foreign Investment Commission. It is located at the Directorate General of Foreign Investment, located in Insurgentes Sur 1940, 8th floor, Colonia Florida, Álvaro Obregón, Mexico City. The reception of applications is from Monday to Friday from 9:00 to 14:00 hours.

Applications can also be submitted to the delegations and subdelegations of the Secretariat of Economy (SE, in Spanish).

Which documents are necessary?

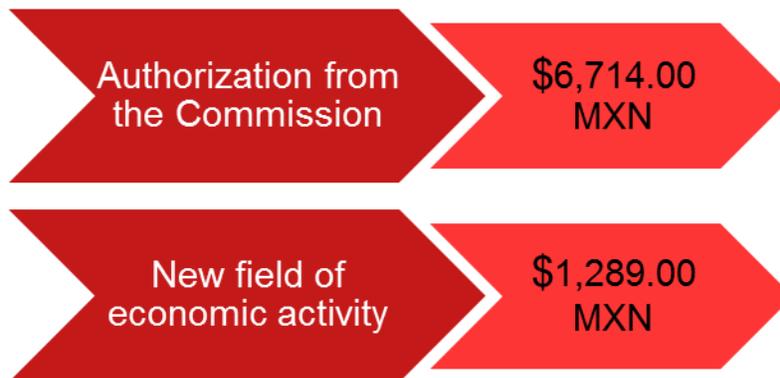
- i. Questionnaire to apply for resolution of the National Foreign Investment Commission/Authorization of the SE²².
- ii. Written application, original and copy, containing:
 1. Name of the applicant or name of the company requesting the favorable resolution.
 2. Name of the representative or the person that is promoting on behalf of the applicant.
 3. Address to hear and receive notifications and, if it is the case, individuals that can receive them on behalf of the applicant.
 4. Facts or reasons giving rise to the request.
 5. Provide precise details of the main characteristics of the project.
 6. Specify if you have or will have branches or subsidiaries companies.
 7. Place and date of the request.
 8. Signature of the representative or the person that is promoting on behalf of the applicant
- iii. Receipt of payment of applicable fees.

²¹ Currently, the amount is determined in the General Resolution 17 ([Resolución General 17](#), in Spanish).

²² [Cuestionario para solicitar resolución de la Comisión Nacional de Inversiones Extranjeras/Autorización de la SE](#)

- iv. Proxy signed before a public notary in favor of the person that is promoting on behalf of the applicant. If the proxy was granted abroad, it must be duly legalized or apostilled and translated to Spanish by a professional translator. If the proxy was simultaneously drafted in Spanish and another language, translation will be required for the parts in a language other than Spanish, as in the case of the apostille.
- v. If the investor is:
 - 1. Individual: updated curriculum vitae or biographical summary.
 - 2. Foreign legal person: Constituent instrument, current corporate by-laws, and annual report or a description of the activities of the last fiscal year.
 - 3. Mexican company already constituted: constituent instrument, as well as its shareholders constituent instrument, and financial statements for the last fiscal year.
- vi. Other documents. If the company has had changes in its corporate name, a merger or any other changes to its by-laws, original and copy of the documents attesting such modifications must be attached.

Does it cost?



Authority's response time

Forty-five business days. The resolution may establish the terms and conditions that must be fulfilled for the authorization to be valid.

APPENDIX IV. INSCRIPTION AT THE NATIONAL REGISTRY OF FOREIGN INVESTMENTS

According to the Foreign Investment Law (FIL), the inscription at the National Registry of Foreign Investments (RNIE, in Spanish) is required by:

- a) Foreign individuals or companies who regularly engage in business acts in Mexico;
- b) Mexican companies with participation, including through trusts, of foreign investment;
- c) Mexicans who have or acquire another nationality and who have their domicile outside Mexican territory; and
- d) Trusts on shares or corporate equity interest, on real estate, and on neutral investment whereby rights in favor of the foreign investment shall be derived.

The inscription must be done within forty business days from the date of:

- i. The beginning of business acts;
- ii. The creation of the company or the equity participation by foreign investment;
- iii. The formalization or official recording by public notary of the documents relating to the foreign company; or
- iv. The creation of the relevant trust or granting of beneficial rights in favor of the foreign investment.

Either the interested party or a legal representative may apply for the registration and the procedure is free of charge unless a penalty for late compliance is awarded.

It is important to keep in mind that the subjects inscribed at the RNIE will also have an obligation to present quarterly and annual reports if their assets exceed the thresholds established by the National Foreign Investment Commission. A fine ranging from 30 to 100 minimum wages might be imposed in case of non-compliance or late compliance of this obligation.

Where to apply for registration?

Applications must be submitted at the Directorate General of Foreign Investment, located in Insurgentes Sur 1940, 8th floor, Colonia Florida, Álvaro Obregón, Mexico City. Reception is from Monday to Friday from 9:00 to 14:00 hours.

Applications can also be submitted at the delegations and subdelegations of the Secretariat of Economy.

Is there an electronic procedure in place?

Yes. Inscriptions to the RNIE might also be done through its website²³. To this end, it is mandatory to have a certificate of inscription at the Federal Taxpayer Registry and the so-

²³ <https://rnies.economia.gob.mx/RNIE/faces/inicio.xhtml>

called advanced electronic signature (FIEL, in Spanish) issued by the Tax Administration Service (SAT, in Spanish). Procedure guidelines may be found at the website²⁴.

What is the authority's response time when applying personally?

Once the documentation is submitted with all the required data, the RNIE will stamp the Registration Form. The stamped form will be considered as proof of inscription. However, the Secretariat of Economy will have ten business days to request more information. The form will be fully valid if there is no request after this deadline.

Which documents are needed?

For the purposes of registration, the Registry is divided in three sections:



Thus, the necessary documentation will vary according to the section in which registration is required.

First Section: Foreign individuals and legal entities

Registration in the First Section is required for those who regularly engage in business acts in Mexico, in case they are:

- Foreign individuals or legal entities; or
- Mexicans who have or acquire another nationality and who have their address outside Mexican territory.

In these cases, the required documentation is the following:

- Copy of the document certifying legal representation or power of attorney, if applicable;
- Copy of a valid official ID of the individual or of the legal representative or the holder of the power of attorney, if applicable;
- Copy of the migratory document attesting the condition of stay, in the case of foreign individuals (visitor or resident card issued by the National Immigration Institute or the Multiple Immigration Form (FMM, in Spanish, in the case of having a visitors visa without permission to perform remunerated activities);
- Original and copy of the proof of payment of the fine, if applicable;
- Copy of the tax identification card, if applicable; and
- Original and copy of the application form for registration in the National Registry of Foreign Investments.

Second Section: Corporations

Registration in the Second Section of the Registry is required for Mexican companies with foreign participation in their capital stock.

²⁴ [Guides to procedures via internet.](#)

In these cases, the required documentation is the following:

1. Copy of the document certifying legal representation or proxy of the attorney;
2. Copy of a valid official ID of the legal representative or the holder of the proxy;
3. Original and copy of the proof of payment of the fine, if applicable;
4. Copy of the deed of incorporation, the tax identification card and the document attesting the entry of the foreign investment;
5. Document with the identification data and fiscal address of the fiduciary institution, and the name, nationality and the percentage of the rights granted to each of the trustees, if applicable;
6. Copy of the document attesting the contributions in kind or capitalizations, if applicable; and
7. Original and copy of the application form for registration in the National Registry of Foreign Investments.

Third Section: Trusts

Inscription in the Third Section of the RNIE is required for trusts on shares or corporate equity interest, on real estate, and on neutral investment whereby rights in favor of the foreign investment or of Mexicans who have another nationality and who have their address outside Mexican territory, shall be derived.

In this case, the obligation of inscription corresponds to the fiduciary institutions. The required documentation is as follows:

1. Copy of the appointment of the fiduciary delegate and of the valid official ID of the fiduciary delegate;
2. Copy of the trust contract;
3. Original and copy of the proof of payment of the fine, if applicable; and
4. Original and copy of the application form for registration in the National Registry of Foreign Investments.

APPENDIX V. FORMALITIES BEFORE THE SECRETARIAT OF ECONOMY

The Secretariat of Economy carries out the following formalities:

- a) The necessary permits for the incorporation of a Mexican corporation:
 - i. Authorization for the use of the corporate name or business name; and
 - ii. Notice of use of the corporate name or business name.
- b) Authorization to regularly engage in acts of commerce or establish offices of representation in national territory.

A. FORMALITIES FOR THE INCORPORATION OF COMPANIES

Mexican corporations must have a name that distinguish them from others, regardless of their legal regime, type or mode. For this reason, it is necessary to obtain an authorization to use a company name, before drawing up the deed of incorporation. This formality is carried out before the Secretariat of Economy.

A.1. AUTHORIZATION FOR THE USE OF THE CORPORATE NAME OR BUSINESS NAME.

Where to apply for authorization?

Submissions may be done online through the website [tuempresa](#). To access the system it is necessary to have a valid advanced electronic signature (FIEL, in Spanish) issued by the Tax Administration Service (SAT, in Spanish) and create an account.

Interested parties may also attend the offices of the Directorate General of Commercial Regulations²⁵ or to the closest delegations or subdelegations of the Secretariat of Economy ([Delegación o Subdelegación de la SE](#), in Spanish). Reception is from Monday to Friday from 9:00 to 14:00 hours.

How is the procedure carried out?

1. The Secretariat of Economy will ask the applicant to submit the corporate name that he intends to use (up to five names may be submitted), in order to confirm its availability and the absence of prohibitions and conditions for its use. If more than one applicant request the same name, the system will allow its reservation only to the person who requested it in the first place.
2. The Secretariat of Economy will have a maximum period of two business days to solve the request.
3. If the authorization is granted, the applicant may reserve the authorized name. To do so, the applicant will have to provide the name of the public notary with whom he intends to incorporate the company and select its legal regime. The reservation will be valid for forty-eight hours after the expiration of the authority's time limit to solve the request.

²⁵ Insurgentes Sur 1940, 1st floor, Colonia Florida, Álvaro Obregón, Mexico City.

4. The applicant will be asked to ratify its commitment to give notice of the use of the corporate name, in order to avoid the loss of exclusivity in its use.

Does it cost?

The procedure for the authorization is cost-free.

Authority's response time

Two business days.

A.2. NOTICE OF USE OF THE CORPORATE NAME OR BUSINESS NAME.

Interested parties must communicate to the Secretariat of Economy that they have used the authorized corporate or business name for the constitution of a new legal entity or for the formalization of the change of corporate name of a company or association already created.

How is the procedure carried out?

The authorized public notary or public server ([Fedatario Público Autorizado o Servidor Público](#), in Spanish) must give notice of the use through the website ([portal](#), in Spanish) within the 180 days following the date of the authorization. Notice of use may also be submitted personally at the offices of the Directorate General of Commercial Regulations or in any of the delegations or sub-delegations of the Secretariat of Economy.

Finally, in the case of the Simplified Joint Stock Companies, the notice of use will be issued automatically when the Secretariat of Economy validates the deed of incorporation through the electronic system.

Does it cost?

The procedure is cost-free.

B. AUTHORIZATION TO REGULARLY ENGAGE IN ACTS OF COMMERCE OR ESTABLISH OFFICES OF REPRESENTATION IN NATIONAL TERRITORY.

Foreign legal entities must obtain an authorization from the Secretariat of Economy and their inscription at the Public Registry of Commerce in order to be able to engage regularly in acts of commerce in Mexico.

Where to apply for the authorization?

At the Directorate General of Foreign Investment²⁶ or the closest delegation and sub-delegation of the Secretariat of Economy²⁷. Reception is from Monday to Friday from 9:00 to 14:00 hours.

²⁶ Insurgentes Sur 1940, 8th floor, Colonia Florida, Álvaro Obregón, Mexico City.

²⁷ [State Delegations and Representations](#)

Which documents are needed?

- i. Written application, original and copy, that contains:
 - a) Name of the foreign company requesting the authorization.
 - b) Name of the legal representative or the person with power of attorney.
 - c) Address for notifications and, if it is the case, name of the individuals who can receive them on behalf of the company.
 - d) Facts or reasons giving rise to the request.
 - e) Precise details of the activity to be performed in Mexico.
 - f) Place and date of the request.
 - g) Signature of the legal representative or the person with power of attorney that is promoting on behalf of the company.
- ii. Proxy signed before a public notary in favor of the person that is promoting on behalf of the company. If the power was granted abroad, it must be duly legalized or apostilled and translated to Spanish by a professional translator. The translation must cover the full document, including the apostille. If the proxy was simultaneously drafted in Spanish and other language, translation will be required for the parts in a language other than Spanish, as in the case of the apostille.
- iii. Deed of incorporation of the company, duly legalized or apostilled and translated to Spanish by a professional translator.
- iv. Current corporate by-laws duly legalized or apostilled and translated to Spanish by a professional translator.
- v. Receipt of payment of applicable fees.
- vi. Other documents. If the company has had changes in its corporate name, a merger or any other changes, original and copy of the documents attesting such modifications must be attached. These documents must be duly legalized or apostilled and translated to Spanish by a professional translator.

The documents must be submitted in original and copy. Once the documents are analyzed, the originals with the exception of the written application and receipt of payment of fees, will be returned to the applicant at the time of the reception.

Does it cost?

Yes. \$1,886.00 MXN. To expedite the payment, it is suggested to use the form [e5cinco](#).

What to do after the authorization to regularly engage in acts of commerce is granted?

- i. Communicate to the Directorate General of Foreign Investment the address and the name of the person that will represent the company in Mexico, only in case that this information was not mentioned in the application.
- ii. Publish the authorization in the Official Gazette of the Federation.
- iii. Inscribe the company at the Public Registry of Commerce and at the National Registry of Foreign Investments.
- iv. Inform the Directorate General of Foreign Investment on the registration at the Public Registry of Commerce, indicating the number of inscription that was granted.

What to do after the authorization to establish an office of representation is granted?

- i. Communicate to the Directorate General of Foreign Investment the address and the name of the person that will represent the company in Mexico, only in case that this information was not mentioned in the application.
- ii. Inform in writing to the Directorate General of Foreign Investment on the beginning of operations of the office of representation.
This type of authorization does not include authorization to engage in acts of commerce.

B.1. EXCEPTIONS.

Foreign legal entities constituted in accordance to the laws of countries with which Mexico has signed free trade agreements, or the laws of World Trade Organization member countries are not required to apply for an authorization to develop commercial activities in Mexico. They only need to submit a written statement to the Directorate General of Foreign Investment.

Which documents are needed?

- a. A written statement containing:
 - i. Name of the requesting foreign company.
 - ii. Name of the legal representative or the person with power of attorney promoting on behalf of the company.
 - iii. Address for notifications and, if it is the case, individuals that can receive them on behalf of the company.
 - iv. An oath to tell the truth:
 - Declaring that the deed of incorporation, by-laws and other constituent documents are not contrary to the Mexican public order;
 - Pointing out the main activity intended to be performed in the national territory, which shall comply with the provisions of the Foreign Investment Law;
 - Stating that the company has been incorporated in full accordance with the laws of their country of origin, indicating the country;
 - Providing the address that the agency or branch are going to have in Mexico, and in the case of establishment of representative offices, the name and address of its representative, who must be domiciled in the place where the company will operate and authorized to respond for any liability incurred by the company.
 - v. Place and date of submission of the notice.
 - vi. Signature of the legal representative or the person with power of attorney that is promoting on behalf of the company.

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- b. Public instrument attesting the legal representation of the legal entity in favor of the person submitting the notice, or power of attorney signed before a public notary abroad, duly legalized or apostilled.
 - c. If the documents are drafted in a language other than Spanish, must also submit a Spanish translation made by a professional translator. The translation must be of the full document, including the apostille.

Does it cost?

It is cost-free.

Authority's response time

Immediate. The submission of the written statement is enough to register the company in the Public Registry of Commerce, or, if applicable, to establish the representative office in Mexico.

APPENDIX VI. PROCEDURES BEFORE A PUBLIC NOTARY

According to the General Law of Commercial Companies, almost all types of Mexican companies must be incorporated before a public notary. Exceptions to this are:

- a) The simplified joint stock companies, which might be fully incorporated through electronic means (see chapter 5); and,
- b) Cooperative companies, which might also be incorporated before federal judges, municipal presidents, delegates or heads of the political or administrative authorities of Mexico City.

What is the role of the public notary in the creation of a company in Mexico?

The public notary will attest the creation of the company by drafting the deed of incorporation comprising the corporate by-laws, which define the type of company to be created, as well as the rights and obligations acquired by the shareholders. The deed of incorporation shall contain the appointment of legal representatives, which will have the ability to represent the company before third parties.

The public notary has the obligation to ensure compliance of all the requirements established in the law in relation to the process of creation of a company. To this end, public notaries are able to apply for the authorization to use a given corporate name, notify its use, inscribe the company at the Public Registry of Commerce and carry out several formalities before the federal tax authority relating to the Federal Taxpayer Registry and those made before the National Registry of Foreign Investments.

What is the procedure?

The interested party must attend personally to the offices of a public notary to formalize the deed of incorporation of the company. A directory of public notaries can be consulted on the website of the Secretariat of Economy ([Directorio de Notarios y Corredores públicos](#), in Spanish).

Does it cost?

The payment of fees depends on the amount of the share capital and if it is included or not the registration in the corresponding Public Registry of Property and Trade.

APPENDIX VII. INSCRIPTION AT THE PUBLIC REGISTRY OF COMMERCE

The Public Registry of Commerce aims to enhance legal certainty by publicizing commercial acts that, according to the law, are only valid against third parties if they are registered.

The Secretariat of Economy and State authorities are responsible of the operation of the Registry²⁸, and the Integrated System for the Management of the Registry (SIGER, in Spanish) is an electronic program for data collection, storage, custody, security, consultation, reproduction, verification, management and transmission of information of the Registry.

Where to apply for registration?

Personally, at the registry office of the domicile of the individual or legal entity. There is the possibility to do it online, but this option is currently available only for public notaries.

Which documents are needed?

1. Form M-11 (Registration and/or modification of foreign company) to register foreign legal entities. Form M-4 (Constitution of a company) to register Mexican companies²⁹.
2. Documents to be registered, along with electronic copies of all documents submitted, signed electronically.
3. Payment of applicable fees.

What is the procedure for applying personally?

1. Interested parties must submit the documents to the registry office that corresponds to the address of the company, along with electronic copies of all the documents submitted.
The registry will generate a ticket if the corresponding fees have been paid. This ticket is necessary to determine the priority between rights on two or more acts or goods relating to the same folio.
2. The registry will begin the analysis of the form, the verification of the existence or absence of registration records and, if applicable, data collection and pre-registration in the database located in the state.
3. After the analysis is finished, the registry officer will receive through the SIGER the act to process, identifying it by the number of internal control, its date and time, and will review the data collected in the previous phase. If the data is right and

²⁸ [Directory of the Public Registry of Commerce](#)

²⁹ Both forms are available at Annex II of the [Acuerdo por el que se establecen las formas para llevar a cabo las inscripciones y anotaciones en el Registro Público de Comercio y en el Registro Único de Garantías Mobiliarias](#).

registration is appropriate, the registry officer shall authorize its final registration in the database.

Once the act is electronically signed and registered in the database, the registry office, through the SIGER, shall issue a ballot of registration, which will be given to the interested party, upon submission of the ticket generated at the beginning of the procedure.

Authority's response time

Ten business days if applying personally.

APPENDIX VIII. OTHER PROCEDURES

A. REGISTRATION IN THE MEXICAN BUSINESS INFORMATION SYSTEM (SIEM, IN SPANISH).

The SIEM aims to integrate, process and supply timely and reliable information about the features and location of the establishments of trade, services, tourism and industry in the country, for a better performance and promotion of business activities.

Who must be registered?

All individuals and legal entities with business activities and subject to a taxation regime must register and update annually each of its establishments in the SIEM.

When to apply for registration?

The registration of new companies must be done within the two months following the date of registration to the Federal Taxpayer Registry; in the case of the update of the data, it must be done within the two months following the year of its registration.

How to register?

Registration takes place in the business chamber authorized by the Secretariat of Economy, corresponding to the region and core business of the establishment.

Duly identified staff from the business chambers can visit the establishments for gathering information for registration to the SIEM. The staff will collect data of the companies that are located within their region, core business and activities, and will collect the corresponding payment.

Registration may be done in three ways:

- a. Through the visit of a promoter (staff from the business chamber) to the establishment.
- b. Through the direct visit of the businessperson to the corresponding chamber.
- c. Through a certified mail, fax or email.

Does it cost?

Fees for industry	
6 or more employees	\$ 670
3 to 5 employees	\$ 350
Up to 2 employees	\$ 150

Fees for trade and services	
4 or more employees	\$ 640

3 or less employees	\$ 300
Up to 2 employees (<i>only some activities</i>)	\$ 100

B. PROCEDURES BEFORE THE MEXICAN SOCIAL SECURITY INSTITUTE (IMSS, IN SPANISH).

Employer registry and enrollment in the occupational hazards insurance.

It is a procedure carried out by the employer, an individual or legal entity, to obtain their registration in the IMSS, which allows him to enroll his workers and pay the employer-employee contributions. Employer registry allows the compliance with legal obligations and provides social security to workers in the company.

Who must apply for registration?

The employer, an individual or legal entity that hires employees.

When to apply for registration?

The employer registry and enrollment in the occupational hazards insurance must be done when the company intends to hire employees for the performance of its activity, since employers have the obligation to register their workers within a period not exceeding five business days from their recruitment.

Which documents are needed?

Individuals

Personally:

- Corresponding form (Aviso de Registro Patronal Personas Físicas en el Régimen Obligatorio, in Spanish) (ARP-PF form), provided in the IMSS, signed by the employer in the presence of the person who receives the procedure.
- Copy of the Federal Taxpayer Registry.
- Original and copy of the proof of address of the workplace.
- Original of the sketch of location of the address of the workplace.
- Original and copy of the valid official ID with photograph of the employer. Among the documents considered as valid official ID for this procedure are:
 - Voting card issued by the National Electoral Institute or by the Federal Electoral Institute (until its expiration date).
 - Valid passport, Mexican or foreign.
 - Mexican military service card.
 - Professional license.
 - Consular ID card (Matrícula Consular, in Spanish).
 - Identity card for foreigners.

- Corresponding valid migratory document, issued by competent authority (if applicable, migratory document of extension).
- Copy of the Unique Population Registry Key (CURP, in Spanish).
- In case of having a legal representative, original and copy of the power of attorney for acts related to ownership, administration, or special power of attorney specifying authorization to perform all kinds of procedures and signing of documents before the IMSS.
- Original and copy of the official ID with photograph and signature of the legal representative.
- Copy of the Federal Taxpayer Registry of the legal representative.
- Copy of the Unique Population Registry Key (CURP, in Spanish) of the legal representative.
- Applicant may also submit original and two photocopies of the notices of registration of workers ([AFIL-02](#)) contracted to the date of registration.

Electronically: With the advanced electronic signature (FIEL, in Spanish) issued by the Tax Administration Service (SAT, in Spanish):

- Attach proof of address of the workplace.

In case of not having the advanced electronic signature, a pre-registration can be made and then schedule an appointment to conclude the procedure in the Sub-delegation or Auxiliary Office of Affiliation and Collection that corresponds to the address of the company.

If the required documents were issued abroad, must be duly legalized or apostilled and have the Spanish translation attached.

Legal entity

Personally:

- Corresponding form (Aviso de Registro Patronal Personas Morales en el Régimen Obligatorio, in Spanish) (ARP-PM form), provided in the IMSS, signed by the employer in the presence of the person who receives the procedure.
- Copy of the Federal Taxpayer Registry.
- Original and copy of proof of address of the workplace.
- Original of the sketch of location of the address of the workplace.
- Original and copy of the constituent instrument containing the stamp of the Public Registry of Property and Trade

(RPPyC, in Spanish). In case of not having the number of registration (mercantile folio), must submit copy of the application for registration before the RPPyC or certificate from the public notary that accredits such procedure; as proof of the procedure the applicant can submit the electronic mercantile folio obtained from the SIGER program.

- For legal entities constituted abroad and with an establishment in national territory, submit original and copy of constituent instrument (corporate by-laws, registration certificate or other applicable in accordance with the legislation of the country of residence), duly legalized or apostilled with the authorized Spanish translation.
- Original and copy of the power of attorney for acts related to ownership, administration, or special power of attorney specifying authorization to perform all kinds of procedures and signing of documents before the IMSS.
- Original and copy of the official ID with photograph and signature of the legal representative.
- Copy of the Federal Taxpayer Registry of the legal representative.
- Copy of the Unique Population Registry Key (CURP, in Spanish) of the legal representative.
- The applicant may also submit original and two photocopies of the notices of registration of workers ([AFIL-02](#)) contracted to the date of registration.

Electronically: With the advanced electronic signature (FIEL, in Spanish) issued by the Tax Administration Service (SAT, in Spanish), and attaching:

- First and last page of the power of attorney for acts related to ownership, administration, or special power of attorney specifying authorization to perform all kinds of procedures and signing of documents before the IMSS, and the page where the name of the legal representative appears.
- First and last page of the constituent instrument containing the stamp of the Public Registry of Property and Trade (RPPyC, in Spanish), and the page where the name of the legal representative appears.

In case of not having the advanced electronic signature of the legal entity and of the legal representative, a pre-registration can be made and then schedule an appointment to conclude the procedure in the Sub-delegation or Auxiliary Office of Affiliation and Collection that corresponds to the address of the company.

If the required documents were issued abroad, must be submitted duly legalized or apostilled and, if applicable, with the Spanish translation attached.

Where to submit the procedure?

The procedure can be made electronically or personally at the Sub-delegation or Auxiliary Office of Affiliation and Collection that corresponds to the address of the company (Subdelegación u Oficina Auxiliar de Afiliación y Cobranza que corresponda de acuerdo al domicilio fiscal o del centro de trabajo, in Spanish) from Monday to Friday from 8:00 to 15:30 hours.

Electronically, there are two alternatives: with the advanced electronic signature (FIEL, in Spanish) issued by the Tax Administration Service (SAT, in Spanish), the procedure can be concluded without having to go in person, or in case of not having the advanced electronic signature, a pre-registration can be made and then schedule an appointment and go to the corresponding Sub-delegation to conclude the process.

Does it cost?

The procedure is cost-free.

Authority's response time

Immediate. The employer registration number that identifies the company in the IMSS is generated immediately.

C. CAPACITY BUILDING AND OTHER PROCEDURES RELATED TO THE CORE BUSINESS.

C.1 PREPARATION OF THE PLAN AND PROGRAM FOR CAPACITY BUILDING, TRAINING AND PRODUCTIVITY.

Plans and programs for training will be prepared using the format DC-2 "Preparation of the plan and programs for capacity building, training and productivity", in accordance with the model attached, within sixty business days following the start of operations in the workplace.

For the preparation of the plan and programs the following must be consider:

- i. Take into account the capacity building and training needs for all positions and levels of work in the company;
- ii. Specify the number of phases during which the plans and programs will be delivered;
- iii. Indicate whether the plans and programs for capacity building and training are specific to a company, common to several companies or if they are attached to a general system of capacity building and training by branch or activity; and the establishments in which they are applied;
- iv. Establish periods of not more than two years;

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- v. Consider the delivery of the capacity building or training by the company own staff, instructors especially contracted, institutions, schools or specialized agencies;
 - vi. Base labor competency or its equivalent on technical standards, if any, for the jobs concerned;
 - vii. Consider the actions to perform in relation to the productivity issues referred to in article 7, sections II, III, IV and V of the "Agreement whereby it is announced the administrative criteria, requirements and formats for the procedures and application for services in the field of capacity building, training and productivity of workers", and
 - viii. Include, where appropriate, the training courses delivered by:
 - a. The companies from which a good or service of any nature has been acquired.
 - b. Foreigners to Mexican workers in national territory or when workers receive training abroad.

The workers or employers of the companies that offer courses or events included in common plans and programs, will be considered as internal trainers agents, whether they are owners, shareholders or provide their services to companies other than those in which they provide the referred capacity building and training.

At the end of the term of the plan and programs of capacity building, training and productivity, the company must prepare the next ones.

Where to submit the procedure?

This is a procedure for internal records, accordingly, companies must keep at the disposal of the Secretariat of Labor and Social Welfare, the following information:

- i. The format DC-2 "Preparation of the plan and programs for capacity building, training and productivity", in accordance with the model published in www.stps.gob.mx;
- ii. The name and objectives of the programs or training courses, their contents, the positions and levels of work to which those programs are directed; as well as the procedure of selection that is used for training workers of the same position and category, and
- iii. The actions to be carried out on the issues of productivity.

What are the requirements for the procedure?

Employers shall keep at the disposal of the Secretariat of Labor and Social Welfare and the Secretariat of Economy, the plans and programs for capacity building, training and productivity that have been agreed to establish, or if applicable, the modifications that were agreed about the plans and programs already implemented, through the format DC-2 "Preparation of the plan and programs for capacity building, training and productivity", in accordance with the model published in www.stps.gob.mx, and attach the document containing the name and objectives of the programs or training courses, their contents, the positions and levels of work to which those programs are directed; as well as the

procedure of selection that is used for training workers of the same position and category, and the actions to be carried out with respect to the issues of productivity.

Does it cost?

It is cost-free.

Authority's response time

Immediate. The plans and programs must be kept for internal records and at the disposal of the Secretariat of Labor and Social Welfare and the Secretariat of Economy.

C.2 CONSTITUTION OF THE JOINT COMMISSION OF CAPACITY BUILDING, TRAINING AND PRODUCTIVITY FOR COMPANIES WITH MORE THAN 50 WORKERS.

Companies that have more than 50 workers shall constitute Joint Commissions of Capacity Building, Training and Productivity, composed of equal number of representatives of workers and employers, in accordance with the provisions of the Federal Labor Law, that will be responsible for performing the functions that are numbered below:

- i. Monitor, implement, operate and improve the systems and the programs of capacity building and training;
- ii. Propose the necessary changes in the machinery, equipment, work organization and labor relations, in accordance with the best technological and organizational practices that increase productivity according to their degree of current development;
- iii. Propose the measures agreed, with the purpose of promoting training, measure and increase productivity as well as to ensure the equitable sharing of its benefits;
- iv. Monitor the compliance of the agreements of productivity;
- v. Resolve the objections (if any) submitted by workers due to the distribution of the benefits of productivity;
- vi. Authenticate the certificates of labor competencies or skills that are issued to the workers who pass the training courses, where appropriate, when they pass the test of sufficiency applied by the instructor entity; and
- vii. Issue an opinion on the permanence of the workers hired under the modalities of initial training and probation period.

Companies with more than 50 workers must keep as internal records, the following:

- Constitution of the Joint Commission of Capacity Building, Training and Productivity, in accordance with the format DC-1;
- The documentation generated on its integration and operation; and
- The report of activities of the last twelve months.

The above documentation must be displayed to the labor authority when requested in the framework of its powers of inspection.

C.3 SUBMISSION OF THE LISTS OF CERTIFICATES OF LABOR COMPETENCIES OR SKILLS.

Companies must inform the Secretariat of Labor and Social Welfare, for its registration and control, about the lists of certificates of labor competencies or skills (format DC-4 Lists of Certificates of Labor Competencies or Skills, published in www.stps.gob.mx). These lists will contain information on the capacity building or training given to workers as a result of the actions carried out in accordance with the plan and programs for capacity building, training and productivity (format DC-3 Certificate of Labor Competencies or Skills, published in www.stps.gob.mx), taking into consideration:

Within sixty business days following the end of each year of the plans and programs for capacity building, training and productivity, and at the end of the program, even if it has not completed one full year, companies must submit the information corresponding to:

- a. General data of the company;
- b. The validity of the plan and programs of capacity building, training and productivity;
- c. General data of the worker;
- d. The information of the training courses received by the workers;
- e. Certifications of Technical Standards of Labor Competence or equivalent certifications, where appropriate, that workers prove to have, optionally, and;
- f. The maximum degree of studies completed with recognition of official validity that workers provide to the employer.

Where to submit the procedure?

Companies with up to 50 employees may submit their lists of certificates of labor competencies or skills through print or electronic form. Companies with more than 50 workers must submit their lists electronically.

When companies choose to perform the procedure electronically, they must enter the website of the Secretariat of Labor and Social Welfare at www.stps.gob.mx, and follow the instructions indicated in the link concerning the submission of the lists of certificates of labor competencies or skills.

If the procedure is carried out personally, must submit the format DC-4 (Lists of Certificates of Labor Competencies or Skills, published in www.stps.gob.mx), at the Federal Delegation of Labor of the corresponding state, or at the Registration Module of the Secretariat of Labor and Social Welfare, located in Carretera Picacho al Ajusco 714, building "A", mezzanine, colonia Torres de Padierna, 14209 zip code.

When using the first option, the information will be incorporated into the database of the Secretariat with the purpose that in the future, only the corresponding updates are made.

- i. Proceeding the application properly and on time, the Secretariat will issue an acknowledgement of receipt the same day in which the lists of certificates are

-
- submitted, either personally or electronically, the acknowledgement of receipt will be provided in the same way;
- ii. Companies must keep at the disposal of the Secretariat, as part of its internal records, copy of the certificates of labor competencies or skills that were issued to its employees during the last year, whether in paper or electronic files with the image of the delivered certificate, and
 - iii. The Secretariat will include and manage in the database of the Register of Trained Workers, the information on workers that is submitted by the companies in the lists of certificates of labor competencies and skills.

What are the requirements for the submission of the procedure?

When companies choose to perform the procedure electronically, they must enter the website of the Secretariat at www.stps.gob.mx, and follow the instructions indicated in the link concerning the submission of the lists of certificates of labor competencies or skills.

If the procedure is carried out personally, must submit the format DC-4 (Lists of Certificates of Labor Competencies or Skills, published in www.stps.gob.mx), at the Federal Delegation of Labor of the corresponding state, or at the Registration Module of the Secretariat of Labor and Social Welfare, located in Carretera Picacho al Ajusco 714, building “A”, mezzanine, colonia Torres de Padierna, 14209 zip code.

Does it cost?

It is cost-free.

Authority’s response time

Proceeding the application properly and on time, the Secretariat will issue an acknowledgement of receipt the same day in which the lists of certificates are submitted, either personally or electronically, the acknowledgement of receipt will be provided in the same way.

Companies must keep at the disposal of the Secretariat, as part of its internal records, copy of the certificates of labor competencies or skills that were issued to its employees during the last year, whether in paper or electronic files with the image of the delivered certificate.

The Secretariat will include and manage in the database of the Register of Trained Workers, the information on workers that is submitted by the companies in the lists of certificates of labor competencies and skills.

C.4 REGISTRATION AS A GENERATOR OF HAZARDOUS WASTE

If the activity to be performed will generate hazardous waste through the development of production or consumption processes, the company must register with the Secretariat of the Environment and Natural Resources (SEMARNAT, in Spanish), through the procedure: SEMARNAT-07-017 (registration of generators of waste).

Where to submit the procedure?

The reception of the procedure is done at the areas for contact with the citizen (Espacios de Contacto Ciudadano or ECC, in Spanish) distributed in the 31 Federal Delegations that SEMARNAT has in the states, or in the ECC of the Central Offices, in the latter, only the procedures from Mexico City and the Metropolitan Area are received, and is located in Progreso 3, colonia Del Carmen, Coyoacán, zip code 04100, Mexico City, from Monday to Friday from 9:30 to 15:00 hours.

For the location of the nearest ECC see [“Dónde registro un trámite”](#).

What are the requirements for the submission of the procedure?

Format of application [SEMARNAT-07-017](#) duly completed, and attach the following documents in original and copy:

- Valid official ID of the applicant, for individuals (voting card issued by the National Electoral Institute, passport, professional license, Mexican military service card).
- Constituent instrument of the legal entity whose corporate purpose covers the activities aimed at developing.
- Power of attorney for legal representatives (if applicable).
- Representation of individuals must be accredited by means of a simple letter proxy signed before two witnesses.

Does it cost?

It is cost-free.

Authority's response time

The procedure has immediate resolution.

APPENDIX IX. PROCEDURES BEFORE THE SECRETARIAT OF FOREIGN AFFAIRS FOR THE ACQUISITION OF REAL ESTATE

To acquire real estate in Mexico, Mexican companies with foreign investment participation or foreign individuals and legal entities must comply with the formalities referred below. These formalities are carried out personally at the Directorate General of Legal Affairs of the Secretariat of Foreign Affairs (SRE, in Spanish)³⁰ or at the state delegations of the Secretariat³¹.

A. MEXICAN COMPANIES THAT ADMIT FOREIGNERS.

I. Real estate located outside of the restricted zone.

Mexican corporations that allow the participation of foreigners must comply with Article 27, Section I, of the Political Constitution of the United Mexican States in order to acquire real estate outside of the restricted zone. In this regard, these corporations must include within their corporate by-laws a statement whereby foreigners agree to be considered as Mexican nationals with respect to real state and not to invoke the protection of their governments concerning said property, under penalty of forfeiting the property in favor of the Nation.

II. Real estate located within the restricted zone.

a) For non-residential purposes

The corporation must give notice of the acquisition of the real estate to the Secretariat of Foreign Affairs, within sixty business days following the acquisition date.

Which documents are needed?

1. Application [AVISO10](#) (original and 2 photocopies).
2. Location and description of the property.
3. A clear and precise description of the uses that will be given to such real estate.
4. A copy of the public instrument that formalizes the acquisition of the property.
5. Payment of the applicable fee.

Does it cost?

Submission of each notice of acquisition of real estate: \$945.00 MXN
Submission of notice out of time: \$ 7,280.00 MXN.

Authority's response time

One business day.

³⁰ Located in Plaza Juárez No. 20, ground floor, colonia Centro, Cuauhtémoc, zip code 06010, in Mexico City.

³¹ [Delegations](#)

b) For residential purposes

The corporation may only acquire the use of real estate through a trust. In this regard, fiduciary delegates of credit institutions must obtain a permit from the Secretariat of Foreign Affairs to acquire, as trustees, the rights to real estate located within the restricted zone.

What are the requirements for the application?

The application must contain:

1. Name and nationality of the settlor;
2. Name of the credit institution that will act as trustee;
3. Name and nationality of the beneficiary and, if there are any, of the beneficiaries in second place and of the substitute beneficiaries;
4. Duration of the trust;
5. Use of the real estate (purposes);
6. Description, location, area, measurements and bounds of the real estate;
7. Distance with respect to the border or the Federal Seaboard Terrestrial Zone.
8. Payment of the applicable fee.

How to submit the procedure?

The fiduciary delegate through the electronic system enabled to do so, will submit and receive the corresponding permit.

Does it cost?

Expedition of the permit to establish a trust in the restricted zone: \$13,910.00 MXN.

Authority's response time

Five business days.

B. FOREIGN INDIVIDUALS OR FOREIGN LEGAL ENTITIES

The procedure that foreign individuals and foreign legal entities must carry out is the same for both, so the only relevant criterion, in this case, is the location of the asset.

I. Real estate located outside of the restricted zone.

Foreign individuals or foreign legal entities must previously submit a statement whereby they agree to be considered as Mexican nationals with respect to the real estate and not to invoke the protection of their governments in reference to said property, under penalty of forfeiting it in favor of the Nation.

The application and requirements are available at the e-government portal <http://sre.gob.mx/convenio-de-renuncia-para-la-adquisicion-de-bienes-inmuebles-fuera-de-zona-restringida>

Which documents are needed?

If the procedure is carried out by the foreign individual:

1. Format [FF-SRE-006](#) (original and 2 photocopies);
2. Document indicating the area, measurements and bounds of the real estate, signed by the applicant; and,
3. Copy of the valid migratory document.

If the procedure is carried out by the legal representative of the foreign legal entity:

1. Format [FF-SRE-007](#) (original and 2 photocopies);
2. Document indicating the area, measurements and bounds of the real estate, signed by the legal representative;
3. Power of attorney of the legal representative. The legal representative must have a special power of attorney, expressly setting out the agreement in one of its clauses and the waiver to which said constitutional provision refers, or a general power of attorney for acts of domain.
4. The original documentation evidencing the legal existence of the legal entity (public instrument, minutes, certificate or any other instrument of incorporation, as well as the by-laws by which the legal entity is governed) duly legalized or apostilled and if the documents submitted are in a language other than Spanish, they must be accompanied by their translation made by a professional.

For more details, refer to the website: <http://sre.gob.mx/convenio-de-renuncia-para-la-adquisicion-de-bienes-inmuebles-fuera-de-zona-restringida>

Does it cost?

It is cost-free.

Authority's response time

Two business days.

II. Real estate located within the restricted zone.

Foreigners may only acquire the use and enjoyment of real estate located within the restricted zone through a trust. In this regard, fiduciary delegates of credit institutions must obtain a permit from the Secretariat of Foreign Affairs to acquire, as trustees, the rights to real estate located within the restricted zone.

What are the requirements for the application?

The application must contain:

1. Name and nationality of the settlor;
2. Name of the credit institution that will act as trustee;
3. Name and nationality of the beneficiary and, if there are any, of the beneficiaries in second place and of the substitute beneficiaries;
4. Duration of the trust;
5. Use of the real estate (purposes);
6. Description, location, area, measurements and bounds of the real estate;
7. Distance with respect to the border or the Federal Seaboard Terrestrial Zone.

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8. Payment of the applicable fee by electronic means in the certified credit institutions.
 9. In case of doubt as to whether a real estate is located within or outside the restricted zone, communicate with the Directorate General of Legal Affairs of the Secretariat of Foreign Affairs, email dgajuridicos@sre.gob.mx or telephone (55)-36865100 extension 6416.

How to submit the procedure?

The fiduciary delegate must submit the request, along with the documentation mentioned above, before the Directorate of Permits of Article 27 of the Constitution.

Does it cost?

Expedition of the permit to establish a trust in the restricted zone: \$ 13,910.00 MXN.

Authority's response time

Five business days.