ECONOMÍA
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**Notice for the establishment of foreign legal entities in the Mexican Republic**

**What does it consist of?**
Foreign legal entities incorporated in accordance with the laws of the countries indicated in the following paragraph, which intend to carry out commercial activities or to set up representative offices in the Mexican Republic, shall not be subject to the authorization mentioned in the Article 17 of the *Foreign Investment Law* as long as they submit a written notice under penalty of perjury.

**To whom it is targeted?**
Foreign legal entities incorporated in accordance with the laws of the United States of America, Canada, Republic of Chile, Republic of Costa Rica, Republic of Colombia, Republic of Nicaragua, Republic of El Salvador, Republic of Guatemala, Republic of Honduras, Eastern Republic of Uruguay, Japan, Republic of Peru, Republic of Panama, Australia, New Zealand, Republic of Singapore and the Socialist Republic of Vietnam.

**Where is it conducted?**

At the Direction of Legal Affairs and the Foreign Investment National Commission of the General Directorate of Foreign Investment, which is located in Insurgentes Sur 1940, 8th Floor, Florida, Territorial Demarcation Alvaro Obregon, 01030, Mexico City. The reception hours are from Monday to Friday from 9:00 a.m. to 2:00 p.m.

It can also be carried out through the State Delegations and Sub-delegations of the Secretariat of Economy, which shall receive the request and shall send it to the Direction of Legal Affairs and the Foreign Investment National Commission.

Likewise, it can be submitted online via the System of Legal Affairs for Foreign Investment (http://sajie.economia.gob.mx), with a valid e-mail account and an *e.firma* (formerly known as advanced electronic signature).

**Which are the requirements?**

**1.** Original and copy of the written notice under penalty of perjury, which shall include:
- i. Name of the requesting foreign legal entity;
- ii. Name of the representative or the foreign legal entity;
- iii. Address to hear and receive notices, and if applicable the persons who can receive them on behalf of the foreign legal entity;
- iv. Statement under penalty of perjury comprising:
  - a) That its social contract and any other incorporation document does not infringe the law and order;
  - b) The main activity intended to be carried out in the national territory (which must comply with the provisions of articles 5, 6, 7 and 8 of the *Foreign Investment Law*);
  - c) That the legal entity was incorporated in accordance with the laws of its country of origin (indicate the name of the country);
  - d) The corresponding address in the case of the establishment of an agency or branch in the Mexican Republic (to carry out commercial activities), and
  - e) The corresponding name and address of the representative residing in the Mexican Republic authorized to meet the liabilities of the foreign legal entity, in the case of the establishment of representative offices.
- v. Place and date of the request, and
- vi. Signature of the representative or the person acting on behalf of the foreign legal entity.



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2. Public instrument that expresses the representation of the legal entity on behalf of the person who submits the notice, or, if applicable, the power of attorney granted before a public notary duly legalized or apostilled.

   If the documents are written in language other than Spanish, these must be translated into Spanish by a certified expert translator. The full text of the document must be translated, including the apostille. In the case the power of attorney is written simultaneously in Spanish and in other language, the translation shall be necessary on the parts written in language other than Spanish, such as the apostille.

**Maximum response time**
Immediately.

**Payment of duties**
Not applicable.

**Legal Foundation**
*General Resolution establishing the criteria for the application of article 17 of the Foreign Investment Law, concerning the establishment of foreign moral persons in the Republic of Mexico, which is established with the countries of Mexico free trade with investment chapter*, published in the Official Gazette on March 25, 2020.

Articles 17, sections I and II and 17-A of the *Foreign Investment Law*, 21 *Regulation of the Foreign Investment Law and the Foreign Investment National Registry*, article 2,736 of the *Federal Civil Code*, 250 and 251 of the *General Law of Comercial Companies*.

**What happens once the authorization is approved?**

1. It is enough to submit the authorization containing the stamp and date of receipt, as well as the corresponding folio number granted by the Secretariat of Economy, before the Public Registry of Commerce in order to be registered; or, if applicable, to establish representative offices in the Mexican Republic.

2. In the case of foreign legal entities which intend to carry out commercial activities, they shall submit this authorization before the Foreign Investment National Registry in order to be registered.



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