

Mexico

BAKER & MCKENZIE

Immigration Manual

A collection of travel items including a camera, passport, map, and coins. The items are arranged on a dark, textured surface, possibly a suitcase or a table. The items include a vintage camera, a passport, a map, a pen, a notebook, a pair of glasses, and several coins. The background is dark and moody, with a focus on the travel-related objects.

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Preface

The purpose of this publication is to provide a general explanation regarding the different immigration qualities under which foreigners may perform their activities, lucrative or not, provided that it is licit and honest, as well as the different authorizations to remain in the country in accordance with the General Population Law (“MIL”) and its regulations (“RMIL”) and any other provisions as applicable.

This manual is not intended to review any matter in a detailed manner and is limited to broadly describe the relevant authorizations for business activities to be performed by foreigners in Mexico, including notes on employment and tax implications.

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Introduction

This immigration manual outlines how foreigners may remain in Mexican territory under the proper immigration category and characteristic, performing lucrative activities or not, according to their activities and their purpose to remain in Mexico.

It is important for companies and foreigners to know, in a clear and executive manner, the different types of visas and the activities that may be performed with them in Mexico, whether lucrative or not.

To determine the adequate authorization for each activity or business, the type of visa to be secured must be determined, as well as the activities to be performed and moreover to specify if the activities that are to be performed are on behalf of a Mexican entity or not. All of this is needed in order to avoid the imposition of fines that apply to the sponsoring company and to the foreigner or the foreigner's deportation.

Regulated citizenships

Group I. - Citizenships subject to a special regulation (previous permit)

| | | | | |
|--------------------|--------------|-------------------|----------------|----------------------|
| Afghan | Congo | Indian | Libyan | Syria |
| Angola | North Korean | Iraki | Lithuania | Somalia |
| Apátrida | Croatian | Iran Rep. Islamic | Macedonia | Sri Lanka |
| Armenia | Cuban | Jordanian | Moldova | Tadzhikistan |
| Azerbaijan Rep. | Chinese | Kampuchea | Mongolian | Taiwan |
| Bahrain | Estonia | Kazakhstan Rep. | Nigerian | Turkmenistan |
| Bangladesh | Russian | Kirguistan Rep. | Pakistani | Turkish |
| Byelorussia Rep. | Georgia Rep. | Leetonia | Palestine | Ukrainian |
| Bosnia-Herzegovina | Haitian | Lebanon | Rep. Dem. Arab | Uzbekistan Rep. |
| Colombian | Hong Kong | Liberia | Sajarahui | Vietnamese |
| | | | | Yugoslavia Rep. Fed. |
| | | | | (Serbia-Montenegro)* |

Group II. - Regulated Nationalities:

| | | | | |
|---------------------|-----------------|--------------------|-------------------|----------------|
| Albanian | Central African | Guinean Bissau | Micronesian | Seychellois |
| Andorran | Chadian | Equatorial Guinean | Montserratian | Sierra Leonean |
| Antiguan, Barbadian | Chipre | Guyanese | Mozambican | Sudanese |
| Dutch Antilles | Comorian | Indonesian | Namibian | Surinamer |
| Saudi Arabian | Ivorian | Jamaican | Nauruan | Swazi |
| Algerian | Curacao | Kenyan | Nepalese | Thai |
| Arubian | Djiboutian | I-Kiribati | Nigerian | Tanzanian |
| Bahamian | Dominican | Kuwaiti | Omani | Togolese |
| Barbadian | Dominican Rep. | Laotian | Papua New Guinean | Tongan |
| Beninese | Ecuadorian | Mosotho | Paraguayan | Trinidadian |

| | | | | |
|----------------|--------------|---------------------|-------------------|-------------------------|
| Bolivian | Egyptian | Madagascar | Peruvian | Tunisian |
| Botswana | Emirati | Malaysian | Qatari | Turk |
| Brazilian | Eritrean | Malawian | Algerian | Tuvaluan |
| Burundian | Ethiopian | Maldivian | Rumanian | Ugandan |
| Bulgarian | Fijian | Malian | Rwandan | Ni-Vanuatu |
| Burkinabe | Filipino | Maltese | Salomon Islander | British Virgin Islander |
| Burundian | Gabonese | Marshallese | Samoan | Virgin Islander |
| Bhutan | Gambian | Moroccan | St. Kits and Neve | Yemeni |
| Cape Verdian | Ghanaian | Martiniquais | Saint Vincentian | Zaire |
| Cayman Islands | Grenadian | Mauritian | Saint Lucian | Zambian |
| Cambodian | Guadeloupien | Mauritanian | Sao Tomean | Zimbabwean |
| Cameroonian | Guinean | Miarimar (Birmania) | Senegalese | |

Group III. - Released Nationalities:

| | | | | |
|--------------|----------------|------------|-----------------|---------------|
| German | Czech | British | Liechtensteiner | Puerto Rican |
| Argentinean | Chilean | Greek | Luxembourgian | Sammarinese |
| Australian | Danish | Guatemalan | Monegasque | Singaporean |
| Austrian | Salvadoran | Honduran | Nicaraguan | South African |
| Belgian | Slovak | Hungarian | Norwegian | Sweden |
| Belizean | Slovenian | Irish | New Zealander | Swiss |
| Bermudian | Spanish | Icelander | Dutch | Uruguayan |
| Canadian | North American | Israeli | Panamanian | Venezuelan |
| South Korean | Finnish | Italian | Polish | Brazilian |
| Costa Rican | French | Japanese | Portuguese | |

Non-immigrant Category

According to Article 42 of the MIL, Nonimmigrant is a foreigner individual who, pursuant to a valid permit issued by the Secretary of the Interior, is temporarily admitted to Mexico in any of the allowed Characteristics⁷:

Note: We do not address here the types of Nonimmigrant Visas that are designed for activities other than business, such as: In Transit Aliens, Tourists, Human Rights Observers, Ministers of Religion or Religious Professionals, Political Asylees, Refugees, Distinguished Visitors, Local and Provisional Visitors.

Business-related Nonimmigrant Characteristics in Mexico are:

VISITOR

Nonimmigrant admitted to Mexico to engage in a lucrative or non-lucrative activity, provided it is licit and honest, for a period of up to one year. During his/her visit this period may be renewable four times in one year increments, with multiple entries, whenever a foreign national lives out of (i) resources brought from abroad; (ii) income produced by such resources; (iii) any sort of income from abroad; (iv) when his/her activities consist of learning about investment alternatives, or make or supervise investment; (v) when he/she engages scientific, technical, consulting, artistic, sports or similar activities; (vi) when he/she seeks admission to work as manager or executive of a given corporation; (vii) to attend corporate shareholders assembly or board of directors meetings.

BUSINESS VISITOR AND INVESTOR

(Art. 163, section I RMIL): Visitor who seeks admittance to (1) learn about investment alternatives; (2) make or supervise a

⁷ **Immigration Characteristic** is defined as the subdivision of Nonimmigrant and Immigrant categories, used to simplify admittance and classification of foreigners, attending the activities they seek to develop in Mexico, as well as the conditions in which they arrive and remain in the country.

direct investment; (3) represent a foreign corporation; or (4) enter into commercial transactions.

TECNITIAN OR SCIENTIST VISITOR

(Art. 163, section II RMIL): Is the foreign national whose entry has the purpose of (1) beginning of a specific investment project; (2) advising public and private institutions; (3) preparing and directing investigations; (4) hold conferences, courses or divulging some type of knowledge; (5) carry out technical activities in the elaboration of an investment project; (6) leaving or beginning the operation of the construction of a plant; (7) capacitating other technicians having previously entered into a services agreement; or (8) carry out activities contemplated in an agreement of transference of technology, patents or labels.

VISITOR RETIRING TO MEXICO

(Art. 163, section III RMIL): Is the foreign national who during his/her stay in the country, lives of his/her economic resources imported from abroad, of the profits these resources produce or of any income that is brought from abroad or investments in Mexico.

Primarily, foreigners that are retired and wish to reside in Mexico obtain this characteristic. These foreigners have to prove their income because such characteristic is not properly one for work purposes. Some foreigners under this characteristic may obtain an authorization to work as professors, scientists, investigators or technicians when it is deemed that such activities are beneficial for Mexico. The monthly income required to apply for this characteristic is the equivalent of 250 days of the minimum wage in Mexico. Family Dependants can also apply for this characteristic needing the equivalent of an extra 125 days of the minimum salary for each dependant as the income received.

PROFESSIONAL VISITOR

(Art. 163, section. IV RMIL): Is the foreign national whose entry in Mexico has as its purpose the exercise of a profession (1) in

an independent manner; (2) rendering a service to a corporation; or (3) rendering services to public or private institutions.

In order for a foreigner to carry out his/her profession in Mexico, it is required that he/she registers and revalidates, before the Secretary of Education (“SOE”), certificates of his/her professional studies and diplomas. These certificates must be dully legalized and translated into Spanish by a translator authorized by the Supreme Court. Other documents needed include a birth certificate, any document proving the foreigner’s legal stay in the country, photographs, and any other documents that at any given time the authorities may require. This must be done in order for the SOE to grant the proper registration of the Professional Title and Professional ID card, so that the foreigner’s profession may be accredited and may be carried out in Mexico.

MEMBER OF A BOARD OF DIRECTORS

(Art. 163, section VIII RMIL) Is the foreign national whose intention to visit Mexico is to attend board of directors meetings and corporate shareholders assemblies.

In order to gain authorization for this characteristic, foreigners must present evidence of their authorization as board members issued by a board member meeting. This characteristic is authorized for up to one year and is renewable up to four times with multiple entries and exits. The only condition for this document is that foreigners’ stay in Mexico does not exceed 30 day for each entry.

STUDENT

Is the foreign national who enters into Mexico to initiate, complete or perfection his/her studies in educational institutions that have official recognition. This visa is valid up to one year and can be renewed as many times as needed to finish the courses and obtain the final scholar documentation. Under this Characteristic, the foreigner

can only be absent 120 days in one year, unless his/her studies are carried out in a border city, where the days absent from the country do not apply.

Students may not carry out lucrative or remunerated activities while in Mexico, save for professional training or social service associated with his/her studies, and prior to the express authorization of the National Immigration Institute ("NII"). The interested student must prove to the NII that the activities form a part of the studies plan as certifies in writing by the school or institution in question.

PRESS CORRESPONDENT

Is the foreign national who enters the country to carry out press or journalistic activities, to cover a specific event, or act as a correspondent on a temporary basis, as long as his/her credentials are duly accredited. This characteristic is given out for one year, and can be renewed as many times as needed, with multiple entries and exits.

ECONOMIC DEPENDANT

Is the foreign national who enters into Mexico under the economic protection of another foreigner or a Mexican.

Every foreign national who comes to Mexico may solicit the entry of his/her husband/spouse and family members to the first degree. This authorization may be granted when they do not have a previous Immigration Characteristic.

Immigrant Category

According to Article 44 of the MIL, Immigrant is the foreigner who enters the country lawfully with the purpose of establishing his/her permanent residence in it, under any of the authorized immigration characteristics, until he/she acquires the status of Permanent Resident.

Immigrants will be accepted in Mexico for five years, and they must prove that they are in full compliance with the conditions imposed upon their admission to the country, and in compliance with the conditions established by the applicable laws, in order to request the renewal of the immigration document annually, if approved.

The Immigrant is formed by the following characteristics, in connection with business activities in Mexico:

RETIREE AND PENSIONER

Is the foreign national who enters into Mexico, in order to live from resources brought in from abroad; out of the interests produced by capital investments in certificates, titles and state bonds; or of national credit institutions or other investments, determined by the Ministry of the Interior, or from any other permanent income which comes from abroad. The minimal amount required shall be the one established in the RMIL. Retirees may be authorized to render their services as professors, scientists, scientific researchers or technicians, only when the authorities determine that the activities are in the best interest of the country.

INVESTOR

Is the foreign national who enters the country to invest capital in industry, commerce and services, in conformity with the applicable Mexican laws, provided the investment in question contributes to the socioeconomic development of the country. The minimal amount required by the RMIL must remain during the foreigner's stay. To preserve this status the investor will have to prove that he/she supports the minimal amount of investment mentioned in the previous paragraph.

Investors must evidence their investments by presenting a certificate issued by the National Registry of Foreign Investments or by means of documentation proving that the minimal investment is equivalent to 26,000 days of minimum wage.

Investors who are commercial representatives can file a letter issued by the foreign company that grants the corresponding appointment. They must prove the monthly economic solvency of one year equivalent to 500 days of minimum wage through a bank letter. They can also file a letter of economic solvency issued by the employer company that will be represented during their residence in the country.

Investors who attain commercial transactions will be able to file a copy of the merchandise agreement for an equivalent amount of 26,000 days of minimum wage. They must prove the monthly economic solvency of one year equivalent to 500 days of minimum wage through a bank letter. They can also file a letter of economic solvency issued by the employer company that will be represented during their residence in the country.

PROFESSIONAL⁸

Is the foreign national who enters the country to practice a profession. In case of professionals requiring a certificate to carry out their profession, they must comply with Article 5 of the Mexican Constitution, regarding professions.

DIRECTOR AND MANAGER (trustworthy position)

Is the foreign national who enters the country to perform direction positions or as sole administrator, or others that require the absolute confidence and trust of the company or institution established in Mexico, provided that, at its discretion, the Ministry of the Interior

⁸ In order to carry out the activities of a Professional under the Immigrant category, the procedure of registry and revalidation of their certificate or professional degrees is the same as the one mentioned for the Nonimmigrant category.

determines that there is no duplication of jobs and that the managerial or executive position truly requires a foreigner.

SCIENTIST

Is the foreign national who enters the country to perform, direct or undertake scientific research, to disseminate his/her scientific knowledge, to prepare investigators or to conduct teaching assignments, when these activities are conducted in the interest of the national development at the opinion of the Ministry of the Interior, taking into consideration the general information given by the institutions on these matters.

TECHNICIAN

Is the foreign national who enters the country to perform or to conduct technical specialized functions that cannot be provided by residents in the country at the opinion of the Ministry of the Interior.

FAMILY DEPENDENT

A Family dependent may be admitted as a foreign immigrant to live under the economic dependency of the spouse or of their blood relative, immigrant, permanent resident, or Mexican national in direct line without any limit or a relative on a transversal line to the second degree. Family dependents can be authorized by the Ministry of the Interior to perform the activities authorized in the RMIL.

The applicant's children and brothers or sisters may only be admitted under this category when they are minors (under 18 years of age), unless they have a duly proven impediment to work, or are full-time students.

ARTIST AND ATHLETE

Is the foreign national who enters the country to perform artistic, athletic or analogous activities, provided that, in opinion of the immigration authority, these activities are beneficial for the country.

ASSIMILATED

Is the foreign national who enters the country to perform any allowed and honest activity, when they have been assimilated to the average national or have or had a Mexican spouse, son or daughter and they are not included in the previous characteristics in the terms that the RMIL establishes.

Lawful Permanent Resident

Foreigners who by express declaration of the immigration authorities acquire rights of permanent residence in Mexico to dedicate themselves to any allowed activity. This status is obtained after residing in the country under the immigrant status during five years, as long as the foreign national has observed the legal dispositions and that his/her activities have been honest and positive for the country.

Immigration Form

It is the document issued by the National Immigration Institute that evidences the legal stay of foreigners in the country. Pursuant to the MIL there are different types of visas according to the nationality and the immigration status, as follows:

Status of Nonimmigrant:

FMN

These are the visas for citizens of the United States of America and Canada, that have the purpose to enter temporarily into the country, within any of the characteristics that the Free Trade Agreement for North America (NAFTA) recognizes as established in Chapter XVI and Article 42, paragraph III of MIL and in regulation R.E.-1⁹; they include the activities such as business visitors, traders and investors, professionals and personnel transferred within a company. The validity of this visa will be 30 days and if the foreign national wishes to prolong his/her permanence in the country, he/she shall request an FM3 visa.

Foreign nationals who are within these characteristics will be able to request for a new FMN visa each time they enter the country. They will have to return it prior to its expiration date to the NII before their definitive exit of the country; otherwise, they will be subject to an administrative sanction.

FMVC

It is the visa for permanent residents of U.S.A and Canada, regardless of their nationality, as well as for citizens of countries that Mexico considers as “Free Regulation” countries (group III)¹⁰. During their stay in Mexico, foreign nationals with this visa shall not carry out any lucrative activity and they shall only

⁹ Federal Official Gazette, May 9, 1994.

¹⁰ Federal Official Gazette, July 26, 1995.

carry out one of the following activities: Business Visitors, Consultants, Technicians and Personnel Transferees, as established in Article 42, paragraph III of the MIL.

This visa will be valid for up to 30 days and prior to its expiration date foreign nationals shall return it to the NII before their definitive exit of the country. In case the foreign national wishes to extend his/her stay in Mexico, he/she shall request the exchange of the FMVC for an FM3 visa. Otherwise, he/she may be subject to administrative sanctions.

FM-3

It is the visa for foreign nationals who enter the country as Nonimmigrant-Visitors within some of the characteristics indicated in paragraphs III, IV, V, VI, VII and XI of Article 42 of the MIL. This visa allows the foreign nationals to remain legally in the country for a year, renewable in four occasions, with multiple entrances and exits.

Immigrant and Permanent Residence status:

FM-2

It is the visa for foreigners who enter the country with the purpose of living in the country meanwhile they acquire a permanent residence in Mexico. When the permanent residence is obtained, the declaration will be written on the same visa, and it will be able to be replaced by a residence card.

It is important to point out that foreigners will be able to perform only the activities authorized in their immigration document; otherwise, both the foreign national and the Mexican company will be subject to administrative sanctions.¹¹

¹¹ Article 139 of the RMIL and 120 of the MIL.

Where to apply for a visa or an immigration permit

INTERNAL OFFICES

The local, state and central offices of the NII incorporate them. These offices can authorize all kinds of immigration permits after the first entry to the country, such as the change of immigration status, renewals, change or extension of activity, change or extension of employer and renewed permanence, among others.

EXTERNAL OFFICES

The Embassies and the General Consulates incorporate them and are authorized exclusively to issue permits to enter the country.

Foreigners who obtain a permit to enter the country through the external offices are granted a period of 90 natural days to enter the country and they should register their entrance in any of the NII offices. Otherwise, their immigration permit will be null and void.

According to Article 163 of the RMIL, to secure an authorization of the abovementioned categories, the foreigner is required to prove the purpose of the visit to the country through i) an invitation of any of the following options: the chamber of commerce or industry, corporate associations, public or private entities, industrial companies, commercial, financial institutions, or ii) to prove that the company he/she represents is in good financial standing or iii) that he/she has the sufficient monthly income equivalent to 500 times the daily minimum wage. In the case of foreign investors, they must prove a minimum investment equivalent to 26,000 times the daily minimum wage.

Mexican entities receiving services from foreign employees

The Federal Labor Law protects the economic development of the country and the Mexican workers. For that purpose, Article 7 of this Law establishes that all companies or businesses are obligated to at least employ a 90 percent of Mexican workers.

In the technical and professional categories, the employees must be Mexican citizens with the exceptions when there are no specialized employees in that field; in such case, the employer could temporarily hire foreign employees, provided that they do not exceed a 10 percent of the total workforce. The employer and foreign employees in the technical and professional categories have the joint liability of training the Mexican employees in their specialty. This obligation is also included in Article 49 of the MIL. In addition, company physicians must be Mexican citizens.

It is important to mention that Article 7 abovementioned is not applicable in the case of foreign general managers and corporate officers.

All companies or businesses must employ at least 90% of Mexican citizens in the technical and professional categories.

The employer and foreign employees in the technical and professional categories have the joint liability of training the Mexican employees in their specialty.

BASIC FILE

A company or institution that has foreign nationals rendering services must request the NII to open a “Basic file”, which shall be incorporated with the information of the company or institution and the Mexican and foreign employees that work for it. This information must be updated periodically.

Article 74 of the MIL, as well as Articles 141, 145 and 162 section V, provide that companies or institutions that have foreign employees rendering services are obligated to confirm that they have all the immigration documentation that certifies their legal stay in the country and that they are authorized to perform their activities in national territory. Otherwise, the company and the foreigner may be subject to a sanction.

Additionally, the Mexican company or institution that has foreigners rendering services, whether they are its employees or not, have a joint liability toward them, in terms of Article 162¹² section V of the RMIL and in its case, the company will be obligated to cover all expenses and sanctions that apply, even the deportation expenses.

When a foreign company employs a foreign citizen to render his/her services in Mexican territory, it is recommended to request that their immigration document specifies the relationship between the foreign national and the foreign company, with the purpose of avoiding a labor relationship tie between the foreign employee and the Mexican company or institution, and thus avoid any further contingency.

¹² **Article 162 section V of the RMIL:** A company, institution or person who has made a request, will be jointly liable with the foreigner for the amount of the sanctions applied and in this case, will cover the deportation expenses. When the employee works in an independent form, he will cover the expenses.

Cancellation or discharge of immigration authorization

Articles 61 and 114 of the MIL and RMIL, respectively, provide that any company or person having a foreign national at their service or under its economic dependency, are obliged to inform the NII, when the conditions to which the foreign national is subject are to cease, or are not satisfied or complied with, within 15 days as of such event.

With such notice, the NII will cancel the original document or will discharge the authorization granted. In order to comply with this obligation, it is compulsory that the immigration documents has not yet expired.

- ***Dismissal Notice:** Notice filed before the NII by the company in Mexico to inform that the conditions expressed in the foreign national's document have ceased to exist for all legal purposes.*
- ***Cancellation:** Foreign National requests the NII to render his/her immigration document null and void, since his/her duties have been completed. The foreigner surrenders the original document and requests the issuance of a writ of permanent leave.*

It is very important for companies or persons to which the foreign national provides a service to notify the NII when such state of affairs has ended. In this form, they will properly fulfill their obligation established by law; and also, they will cease to stand as jointly liable regarding the foreign national's immigration status.

Tax Notes

In accordance with provisions of Article 1 Section III of the Income Tax Law (“ITL”), residents of a foreign country that obtain an income (including salaries) from “wealth sources” located in Mexico, are bound to pay Income Tax, regardless of the country in which they or their employer reside.

As an exemption to the above rule, the ITL provides that in order for foreign residents to be subject to the payment of Income Tax, they should remain in the country for 183 days or more (either consecutive or not) within a 12-month period, notwithstanding the purpose of duration of each visit.

The basis to determine said tax includes “all payments received, derived from a labor relation”, including but not limited to those received as salaries, vacations, primes, bonuses, profit sharing, compensation received for termination of the labor relationship or severance pay, either in cash, credit, kind or services, without any deduction whatsoever, with some exemptions as the case of the alimony.

Labor Notes

The Mexican Federal Labor Law (“FLL”) is the statutory law of general observance in the Mexican territory and its provisions govern all the employment relationships occurred within the Mexican United States. In this regard, there is a potential risk that a labor relationship originally subject to a foreign law, may be considered by the Mexican labor authorities as a labor relationship subject to the FLL.

Article 20 of the FLL establishes the elements that determine the existence of a labor relationship: (i) the existence of a personal service; (ii) subordination between the person who renders the services and the person who pays for those services; and, (iii) the payment of a salary.

In light of the above, it would be necessary to take special care with the documents that are given to the foreign national in order to limit the existence of his/her labor relationship with the Mexican or with the foreign company, but avoiding the possibility of having the same labor relationship producing its effect for both companies.

For such purposes and depending on the company who will act as the employer of the foreign national, special attention should be posted in the elaboration of the following documents: (i) Immigration form (visa); (ii) job offer letters; (iii) individual employment agreement; (iv) direct instruction, either verbal or written; (v) position to be performed by the foreign national; and, (iv) documentation regarding the payment of the salaries (payroll and payroll receipts).

Social Security Notes

On the other hand, in accordance with Article 12 of the Mexican Social Security Law (“SSL”), all persons that in terms of Articles 20 and 21 of the FLL render personal subordinated services to another person, either eventually or on a permanent basis, shall be registered in the mandatory regime of the Mexican Social Security Institute (“IMSS”), and thus, shall cover the social security quotas.

In principle, a foreign national shall be registered before the IMSS only if he/she maintains a labor relationship with a Mexican company as described above. Nevertheless, even when the foreign national had executed a labor agreement subject to the laws of a foreign country, but is subordinated to the Mexican company and/or renders his services without distinction for the Mexican company and for the foreign company, according to the criteria of the IMSS, the Mexican company must register the foreign national in the mandatory regime of the Social Security and shall comply with all its provisions, including the payment of the corresponding quotas.

It is important to mention that there are several agreements entered by the IMSS and the Maquiladora Industry, as well as international agreements executed with countries like Spain, Canada and the United States of America, that provide for specific criteria to determine whether a foreign national performing services within the Mexican territory shall or shall not be subject to the mandatory regime of the Social Security and to the payment of the corresponding quotas.

Conclusions

Now that the concepts described in this Manual have been analyzed, it is necessary to underline that the Mexican Immigration System makes great emphasis in the application of corrective measures that range from the detention of illegal aliens, to the imposition of administrative fines applied to legal foreigners who have not completely complied with the provisions of their immigration status while residing in the country.

Likewise, it is important to note that said measures not only affect foreign nationals but also the companies sponsoring applications of the Expatriates to perform lucrative activities in Mexican territory. This condition produces that foreign nationals and Mexican companies share the responsibility of updating all changes that may have a direct impact on the foreign national's immigration status jointly. Therefore, the interest to maintain such information in order before the NII must be a fundamental priority for both.

Furthermore, current globalization practices have forced authorities to promote implementation of preventive measures that not only restrict illegal traffic of people or their paperwork, but also that through the subscription of International Agreements a uniform criteria is created to determine requirements for the admittance of foreign nationals to Mexico, as well as for the legalization of documents issued abroad for their international validity, such as the The Hague Convention.

Please do not hesitate to contact us, should you have any questions or comments, or need additional information about the foundations of the Mexican immigration system, strategies for the application of standards, or any advise with matters related to this subject.

