

Santistevan & Duclaud

ABOGADOS & ATTORNEYS AT LAW
LICENSED IN MEXICO & U.S.A.

e-mail: info@santistevan.com.mx

Homero 1804, suite 902

Tel. + (52-55) 5557-1515

web: www.santistevan.com.mx

México, D.F. 11570

Fax. + (52-55) 5395-7096

MEXICO

3098-3575



Important facts of the new Migratory procedure in Mexico.

Last January 29, 2010 and in full force as of April 29, 2010 was published the new “Manual for Migratory procedures” (MMP) for all foreigners willing to enter and develop certain activity in the country. MMP intends to facilitate, simplify and merge all Migratory procedures to a faster and simple way.

One of the main differences between the old and the new procedure set forth in the MMP is that the foreigner does not necessarily needs to obtain a Migratory Form 2 or 3 (FM2 or 3) in order to work or represent a foreigner subsidiary in Mexico. Foreigners intending to work in Mexico for a maximum period of 6 months can file and obtain a Multiple Migratory Form (MMF) given at any entrance point or even at the airplane where the foreigner is traveling to Mexico.

MMF avoids having to file and wait for almost a month to obtain (i) authorization to work or develop certain activity and (ii) in a separate procedure fill and obtain and FM2 or 3

Sometimes the foreigner is scheduled to spend only one or two months to develop certain activity over its subsidiary in Mexico, therefore spending one month trying to obtain an FM2 or 3 is not practical procedure.

Along with the MMF the foreigner may request authorization to carry out certain and specific activities, i.e., technical tasks, however the foreigner must show enough evidence that is capable to perform the activities he is declaring will carry out in Mexico.

Obviously that means the foreigner must travel with (i) diplomas, (ii) degrees or (iii) similar documents proving the position to be performed in Mexico, these documents must bear Notarization, Apostille or Legalization, as the case may be.

Another difference not less important is that the usual FM2 or 3 booklets disappears and is replaced for a credential (similar to a credit card) with new and different security measures. This credential will be replacing all new FM2 or 3 as well as any renewal.

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The main objective of these credentials replacements is (i) to have tighter control over the data of the foreigner and (ii) are design to have a better electronic and security measures.

Another important modification is that the foreigner can file and obtain his working permit at any Migratory office in the country, in the past the foreigner needed to file and obtain his permit in the Migratory office matching to his actual address.

This will very helpful for advisors to remotely help the foreigner to file and obtain a Migratory permit in case the foreigner is living in a different city.



Consular VISA

It is very important for the foreigner to keep in mind that the consular VISA (when the foreigner according to his country must obtain, i.e. Brazil) will not authorize the foreigner to enter or even work in Mexico.

The consular visa will only grant permit for the foreigner to travel to Mexico, however an additional permit to enter and develop certain activity must be file and obtained.

For further information on the foregoing information, please refer to the contact information at the top of this page.

Fernando Duclaud Leroux
Santistevan & Duclaud Attorneys at Law