

ARTICLE 1. The amendments to the Decree that established Mexico's Foreign Trade Law Regulations in 2007, published in the DOF on April 27, 2007, include the following:

Amendments

- 2.2.1. items A and B, second paragraph, item d).
- 2.2.4. third paragraph.
- 2.8.3. numeral 41, item B, first and second paragraph and numeral 49
- 3.6.21. fifth paragraph, numeral 8, second paragraph, item a).

Additions

- 2.2.4. item A, with numeral 29.
- 2.8.1. with third and fourth paragraph to numeral 3 of item D; with one last paragraph to item D.
- 2.8.3. numeral 41 with item G.
- 3.1.7.
- 3.6.21. with numeral 17 to fifth paragraph.

Eliminations

- 1.4.10. first paragraph, numeral 4
- 2.8.1. item M.
- 3.6.21. second paragraph of item a) of numeral 6 of fifth paragraph, considering current third paragraph as second and the current fourth becomes the third.

The amendments are as follows:

2.2.1.

A. The persons or the "moral persons" (*persona moral*)¹ that require registration in the importers registry must carry out the registration through www.aduanas.gob.mx and fill out the electronic format called "*Solicitud de Inscripción al Padrón de Importadores*" and must have the following:

1. Electronic signature (firma electronica avanzada) issued by the SAT.

¹ Any reference to "moral persons" in Mexican law, including tax laws, includes any one of the following types of companies:

- *Sociedad en nombre colectivo (general partnership)*
- *Sociedad en comandita simple (limited partnership)*
- *Sociedad de responsabilidad limitada (limited liability company)*
- *Sociedad anonima (corporation)*
- *Sociedad en comandita por acciones (limited share partnership); and*
- *Sociedad cooperativa (cooperative company).*

“Moral persons” must use the electronic signature issued by the SAT and not the one of their legal representative.

2. Valid Taxpayer’s Registry (Registro Federal de Contribuyentes – RFC).
3. The business address (domicilio fiscal) in accordance to RFC.
4. To comply in good time with its tax obligations established in article 72 of the regulations.

The applicant must register customs brokers that will carry out foreign trade operation in compliance with article 59, item III, second paragraph of the Customs Law by electronic means in the above mentioned format, the Persons from foreign countries residing in Mexico must attach to the electronic registration request an electronic copy of their migratory status in Mexico.

The result of the application to join a certain registry will be published in www.aduanas.gob.mx no later than nine working days after the application was submitted.

B.

- d) For trading companies that already have authorization for three sector registers, except those that hold an endorsement by the from National Confederation of Industrial Chambers (CONCAMIN), National Confederation of Trade Chambers (CONCANACO), National Association of Retail and Departmental Stores (ANTAD), National Chamber of the Transformation Industry (CANACINTRA), National Association of Importers and Exporters of the Mexican Republic (ANIERM), Mexican Business Council of Foreign Trade, Investment and Technology (COMCE), National Agricultural Council (CNA), or the Chamber of Trade, Services and Tourism of Mexico City, and that justify its incorporation to the requested sector in accordance to its corporate communal purpose. The endorsement is free and must include at least the following information: company share capital, number of employments that it generates, goods delivery system (transports), clients' portfolio, end and use of the goods, and if it will be commercialized or part of a productive process.

2.2.4.

A.

- 29.** The tax payer does not have a valid electronic signature (*firma electrónica avanzada*) issued by the SAT.

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The specifications established in the previous paragraph will not apply when the reasons for suspension are known during the verification procedure established in article 42, items II and III of Mexico’s Federal Tax Code, or suspension will immediately apply if the reasons for suspension are those established in items 1, 2, 3, 4, 5, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28 or 29 of item A and in numerals 1, 2 y 4 of item B.

2.8.1.

D.

3.

For companies in the auto parts industry, it is not necessary to guarantee the amount in fixed assets, provided that the company is a supplier to the automotive industry or to the auto transport manufacturing industry and has authorization to be a fiscal warehouse, in conformity with article 121, item IV of the Customs Law.

For that purpose, the company must attach a letter, on company letterhead, detailing to whom they supply their products, and a confirmation from those companies that receive the supplies that the company is its supplier as well as a letter under oath that includes the value in Mexican pesos of the purchases concluded in the six months previous to the submission of the request, to every company of the automotive industry or auto transport manufacturing industry to which they supply.

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For the purposes of numeral 3, third and fourth paragraph of this item, the authorized organization will issue the favorable annual opinion to which rule 2.8.5., refers to, numeral 2, item d) of this decree, provided that the auto parts company continues to be supplier of the automotive or auto transport manufacturing industry.

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2.8.3.

41.

B. For operations performed under consolidated official shipping documents (*pedimentos consolidados*) in conformity with article 37 of the Customs Law and 58 of the regulations, the consolidated official shipping document (*pedimento consolidado*) must be in accordance with the format “Pedimento Electrónico Simplificado” to which item A of this numeral refers to, on a weekly or monthly basis and for the purposes of article 58 of the regulations, for each remittance, companies must transmit to the SAAI the “Aviso electrónico de Importación y de Exportación” that is part of item A of Annex 1 of this Notice, by presenting the merchandise with the notification to the automated customs selection mechanism in conformity with the guidelines that the AGA and the General Communications and Information Technologies Administration issue for that purpose, without being required to attached the invoice that article 36 of the Customs Law refers to.

For the purposes of the previous paragraph, the corresponding weekly or monthly official shipping documents (*pedimentos consolidados*) that corroborate all the merchandise operations registered in the temporary imports stock control electronic system (SECIIT) must be submitted no later than every Tuesday of each week or within a period that will not exceed the first 10 working days of each month, depending on the selected option, during the week or the previous immediate month. In this case, the exchange rate used at the end of the operation must be declared and the date of the first remittance must be declared as the date of entry of the merchandise.

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G. Once the authorization specified in rule 2.8.2, item H of this Notice is obtained, companies must electronically send the information of its goods and materials catalog specified in Annex 24, item B of this Notice, as well as the amendments made to these catalogs, in compliance with the guidelines issued by the General Communications and Information Technologies Administration.

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49. For the purposes of rules 3.1.5. and 3.1.6. of this Notice, the term for the payment of the official shipping document (*pedimento*) or for the transmission of the “Aviso Electrónico de Importación y de Exportación”, that is part of the Annex 1, item A of this Notice, for merchandise from certified companies introduced by land through the Border North customs can be 30 minutes in advance to the entry of the merchandise to Mexico.

3.1.7. For the purposes of articles 35 and 45 of the Customs Law, customs brokers must specify in the import or export official shipping document (*pedimento de importación o exportación*) accordingly, the “PG” key that is part of Appendix 8 of Annex 22 of this Notice, as well as the number of the United Nations Organization and the phone number for emergencies for merchandise classified under the following tariff headings:

8401.10.01, 8401.20.01, 8401.30.01, 8401.40.01

The above-mentioned in this rule will not apply if operations were carried out in conformity with article 37 of the Customs law.

3.6.21.

8.

a) For the registration of suppliers, automotive industry and auto transport manufacturing companies must submit a letter and an electronic copy before the *Administración Central de Operación Aduanera* of the AGA, including the list of authorized suppliers or the suppliers to its branches or headquarters with the official name of the company, taxpayer’s registry (RFC), and business address of each of the suppliers, as well as, the corresponding IMMEX program number.

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17. For the purposes of article 116, numeral II, item b) of the Customs Law, automotive industry and auto transport manufacturing companies can perform the temporary importation of prototype vehicles for trial or research of the market within a period that will not exceed three years, declaring in each official shipping document (*pedimento*) the corresponding acronym in conformity with Appendix 8, Annex 22 of this Notice.

ARTICLE 2. Numerals 1 and 2 of the ninth article of the Foreign Trade Law Regulations for 2007, published in the *Diario Oficial* on April 27, 2007, are amended as follows:

“Ninth.-

1. Moral persons that as of November 13 of 2006, had a maquiladora or PITEX program, must use the formats, notices, official shipping documents acronyms and the identification keys that correspond to the Maquila or PITEX, accordingly, to carry out its operations, established in Annex 1 and 22, Appendix 2 and 8 of the 2006 Foreign Trade Law Regulations until September 30, 2007.

2. Moral persons that have a program as of November 13, 2006, must use the formats, notices, official shipping documents acronyms and the identification keys that correspond to the Maquila, accordingly, to carry out its operations, established in Annex 1 and 22, Appendix 2 and 8 of the 2006 Foreign Trade Law Regulations until September 30, 2007.

The above mentioned is also applicable for the Maquiladoras or PITEX that have more than a program for Taxpayer’s Registry (RFC) and the SE authorize them a IMMEX program.

ARTICLE 3. Maquiladora and PITEX companies that as of October 1, 2007, have not been assigned an IMMEX program in conformity with the IMMEX Decree or when the program is cancelled in conformity with the IMMEX Decree, must comply with rule 3.3.26 of this Notice. For that purpose, they must use for the return official shipping document the following keys: J1, J2 or H1, accordingly; and for a regime change, F4 or F5, and write down in the corresponding official shipping document the key MQ or PX, in accordance to Appendix 2 and 8 of Annex 22 of the 2006 Foreign Trade Law

Regulations, as published in the *Diario Oficial* on April 10, 2006, in the terms established in rule 3.3.36.

ARTICLE 4. Annex 1 “Statements, Notices and Formats” of the Foreign Trade Law Regulations for 2007 is amended from “*Apartado A. Declaraciones, Avisos y Formatos e Instructivos de Llenado*” to the following formats: 19. “*Constancia de transferencia de mercancías*”, numeral “16 NO. DE REGISTRO DE PROGRAMA IMMEX” and its filling instructions, numeral 16; 36. “*Reporte de exportaciones de operaciones de submanufactura o submaquila*” its filling instructions, numeral 3. “*Proporción de exportación de mercancías*” last item; format 49 is added “*Relación de documentos*”; to eliminate formats 21. “*Declaración de cruce*” and 31 “*Listado de pedimentos y/o facturas en consolidación de carga*”; and the amendment to Item B. “*Pedimentos y anexos*”, format number 1 “*Pedimento*” item “*PARTIDAS*”.

ARTICLE 5. Annex 10 “Sectors and tariff headings” Sector 26.- “*Artículos escolares y de escritorio*” is amended to eliminate the following tariff headings 8440.10.01, 8440.10.99, 8441.10.02 and 8441.10.99.

ARTICLE 6. Annex 18 “Identification data specific to certain merchandises” of the Foreign Trade Law Regulations for 2007 is amended as follows:

- I.
- II. To amend “*Relojes análogos, Digitales y combinados*”. for item “*Datos de identificación que deberán anotarse:*” numeral 3, items b and d).
- III.
- IV.

ARTICLE 7. Annex 21 “Authorized customs to carry out the clearance of specific merchandises” of Foreign Trade Law Regulations for 2007 is amended as follows:

- I. To add numeral IX to item A. with the Customs of Altamira, to modify the Customs of Veracruz and to delete the Customs of Acapulco, Tampico, Tecate and Tuxpan.
- II.
- III. To add numeral XXII to item A with the Customs of Ciudad Hidalgo, Piedras Negras and Subteniente López.
- IV. To add to item B, the item “Radioactive and nuclear products classified in the following tariff headings: 8401.10.01, 8401.20.01, 8401.30.01, 8401.40.01” and the customs of Altamira, Ciudad del Carmen, Ciudad Hidalgo, Ciudad Juárez, Ciudad Reynosa, Colombia, Guadalajara, Manzanillo, Mexicali, Monterrey, Nogales, Nuevo Laredo, Piedras Negras, Subteniente López, Tijuana, Toluca, Veracruz, Aeropuerto Internacional de la Ciudad de México y Lázaro Cárdenas.

ARTICLE 8.

ARTICLE 9.

ARTICLE 10. From May 16 to November 30, 2007, companies registered as certified companies in accordance to rule 2.8.2 item H of this notice can use the “Aviso de importación y exportación de mercancías de empresas certificadas registradas conforme al rubro H de la regla 2.8.1.”, published in

the DOF on August 20, 2006, to operate with consolidated official shipping documents (*pedimentos consolidados*).

ARTICLE 11. Annex 14 “Customs and customs sections in which the automated customs selection mechanism will be activated for a second time in conformity with rule 2.6.15 of this Notice” of the Foreign Trade Law Regulations for 2007, as follows:

- I. To add the Customs of MONTERREY. Only the customs section of the international airport “Mariano Escobedo”, Apodaca, in the state of Nuevo León, “ADUANA 52, SECCION 1” and the customs of TOLUCA. “ADUANA 65, SECCION 0”.
- II. To delete the Customs of VERACRUZ, the customs section of the international airport “General Heriberto Jara Corona”, in the city of Veracruz, Veracruz” “ADUANA 43, SECCION 2.

ARTICLE 12.

ARTICLE 13. To amend item XII of the sole transitory article of the Foreign Trade Law Regulations for 2007 as follows:

“XII. Format 13 “Electronic notice of consolidated official shipping document remittance (*pedimento consolidado*)” that is part of item A of Annex 1 “Statements, Notices and Formats” of this Notice and that will enter into force on September 1, 2007”.

TRANSITORY ARTICLE

SOLE ARTICLE.- This notice enters into effect the day after its publication in the DOF, except for:

- I. Amendment to Rule 2.2.1., item A which will enter into effect on September 1, 2007, however those persons that comply with the requirements established in that rule can actually carry out the procedure the day after the publication of this Notice.
- II. Amendment to rule 2.2.4., item A, numeral 29 will enter into effect six months after the publication of this Notice.
- III. Amendment to rule 2.8.3., numeral 41, item G will enter into effect on September 1, 2007.
- IV.
- V.
- VI.
- VII. Rule 3.1.7. will enter into effect on July 1st, 2007.
- VIII.
- IX. Article 7, items I, and IV will enter into force fifteen days after the publication of this Notice.
- X.
- XI.
- XII. **Article 11**, item 1 will enter into force fifteen days after the publication of this Notice....

ANNEX 1 OF THE FOREIGN TRADE LAW REGULATIONS IN 2007

“Statements, Notices and Formats”

Contenido

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A. Declaraciones, avisos y formatos e instructivo de llenado.

Nombre de la declaración, aviso o formato

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19. Constancia de transferencia de mercancías.

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21. Derogado.

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31. Derogado.

36. Reporte de exportaciones de operaciones de submanufactura o submaquila. (Instructivo de llenado).

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49. Relación de documentos.

B. Pedimentos y anexos

Nombre del pedimento o anexo

1. Pedimento

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Constancia de transferencia de mercancías

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16. No. DE PROGRAMA IMMEX

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Instructivo de llenado de la constancia de transferencia de mercancías

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16. Número de Programa IMMEX, que le haya asignado la Secretaría de Economía

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Instructivo de llenado del reporte de exportaciones de operaciones de submanufactura o submaquila.

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3. Proporción de exportación de mercancías

- Proporción de exportación: Indicar la proporción que determine conforme a lo dispuesto en la regla 5.2.4. de Carácter General en Materia de Comercio Exterior.

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PEDIMENTOS

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PARTIDAS

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PARTIDAS															
	FRAC CION	SU BD.	VI NC.	MET VAL	UM C	CANTIDA D UMC	U M T	CANTIDA D UMT	P. V/C	P. O/D					
SE C	DESCRIPCION (REGLONES VARIABLES SEGUN SE REQUIERA)										CO N.	TA SA	T.T.	F.P.	IMPO RTE
	VAL ADU/US D	IMP. PRECIO PAG.		PRECIO UNIT.	VAL. AGREG.										

	MARCA	MODELO	CODIGO PRODUCTO					
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RELACION DE DOCUMENTOS			Código de Barras	
Aduana de Despacho	Número de Patente o Autorización	Nombre del Agente o Apoderado Aduanal	Fecha de Emisión	
LISTADO DE PEDIMENTOS O FACTURAS				
Consecutivo	Número de Pedimento	Número de Factura		

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ANNEX 14 OF THE FOREIGN TRADE LAW REGULATIONS IN 2007

**Customs and customs sections in which
the automated customs selection
mechanism will be activated for a
second time in conformity with
rule 2.6.15 of this Notice**

ADUANA SECCION

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52	1	MONTERREY. Unicamente en la sección aduanera del Aeropuerto Internacional "Mariano Escobedo", Apodaca, en el Estado de Nuevo León.
65	0	TOLUCA.
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ANNEX 18 OF THE FOREIGN TRADE LAW REGULATIONS IN 2007

**“Identification data specific to
certain merchandises”**

Description of the Merchandise:	Tariff Heading:	Specific Data:
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Relojes análogos, digitales y combinados. 3. a) b) Cuero Natural (por ejemplo: Bovino, Porcino, Cocodrilo, Caguama, Vibora, Tortuga, etc.) c) d) Artificial (por ejemplo: Plástico, Poliuretano, Cuero Sintético, etc.) 4.
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ANNEX 21 OF THE FOREIGN TRADE LAW REGULATIONS IN 2007

**“Authorized customs to carry out the
clearance of specific merchandises”**

A.

IX. Bicicletas que se clasifican en las fracciones arancelarias 8712.00.01, 8712.00.02, 8712.00.03, 8712.00.04 y 87.12.00.99:

Aduana:

De Altamira.

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De Veracruz.

XXII. Productos radiactivos y nucleares que se clasifican en las fracciones arancelarias: 2844.10.01, 2844.20.01, 2844.30.01, 2844.40.01, 2844.40.02, 2844.40.99, 2845.10.01, 2846.90.02, 8401.10.01, 8401.20.01, 8401.30.01, 8401.40.01 y 9022.21.01:

Aduana:

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De Ciudad Hidalgo.

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De Piedras Negras.

De Subteniente López.

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B. Tratándose del despacho aduanero de las mercancías que se extraigan del país bajo el régimen aduanero de exportación definitiva, de las siguientes mercancías:

I.

II. Productos radiactivos y nucleares que se clasifican en las fracciones arancelarias: 2844.10.01, 2844.20.01, 2844.30.01, 2844.40.01, 2844.40.02, 2844.40.99, 2845.10.01, 2846.90.02, 8401.10.01, 8401.20.01, 8401.30.01, 8401.40.01 y 9022.21.01:

Aduana:

De Altamira.

De Ciudad del Carmen.

De Ciudad Hidalgo.

De Ciudad Juárez.

De Ciudad Reynosa.

De Colombia.

De Guadalajara.

De Lázaro Cárdenas.

De Manzanillo.

De Mexicali.

De Monterrey.

De Nogales.

De Nuevo Laredo.

De Piedras Negras.

De Subteniente López.

De Tijuana.

De Toluca.

De Veracruz.

Del Aeropuerto Internacional de la Ciudad de México.