

COVID-19: Legal Impact in Mexico; measures issued by various authorities

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Listed below are the preventive measures issued by federal and local authorities for the mitigation and control of the SARS-CoV2 pandemic (COVID-19) in Mexico.

I. Federal authorities

1. General agreements

General Health Council

Resolution that recognizes the coronavirus outbreak in Mexico, as a serious threat requiring priority attention, as well as the measures being taken in response to the pandemics.¹

- The General Health Council recognizes the coronavirus as a disease of serious priority attention.
- The General Health Council urges the governments of the federal entities in their capacity as health authorities and the members of the National Health System to define plans for hospital reconversion and immediate expansion of capacity to guarantee the timely care of cases that need hospitalization.
- The Ministry of Health will establish the necessary measures for the prevention and control of the epidemic in consensus with the dependencies and entities involved in its application; the specific modalities; the start and end dates will be defined, as well as its territorial extension.

Ministry of Public Service

Resolution that establishes the criteria for the management of human resources in the dependencies and entities of the Ministry of Public Service.²

- From March 23, 2020 to April 17, 2020, the headlines of the Major Office of the Secretariat of Finance and Public Credit and of the Administration and Finance Units or equivalent may allow the following: i) work at home for adults over 60 years of age, people with disabilities, pregnant or lactating women and people with chronic non-communicable diseases, ii) alternate work days for public servants with children under 12 years of age who are in basic education, and iii) staggered schedules entry for officials.
- The measures are mandatory for the dependencies of the Ministry of Public Service, including its decentralized administrative bodies, the coordinated regulatory bodies in the energy field, the Office of the

¹ https://www.dof.gob.mx/nota_detalle.php?codigo=5590161&fecha=23/03/2020

² https://www.dof.gob.mx/nota_detalle.php?codigo=5590157&fecha=23/03/2020

President of the Republic, the Legal Counsel of the Federal Executive, as well as for entities parastatals of the Federal Public Administration.

Ministry of Health

*Resolution that establishes the preventive measures that must be implemented to mitigate and control the health risks associated with the SARS-CoV2 virus (COVID-19).*³

- The following preventive measures are implemented in the public, private and social sectors: i) avoid workplaces, public spaces, and crowded places, adults over 65 and people at risk of developing serious illness and/or dying, such as pregnant women and nursing women, children under 5, people with disabilities, people with chronic non-communicable diseases, ii) temporary suspension of school activities at all levels until April 17, 2020, iii) temporary suspension of activities in the public, and private sectors that involve the concentration, transit or displacement of people, iv) temporary suspension of mass events, meetings and congregations of more than 100 people, and v) comply with basic hygiene measures, among others.

2. Agreements relating to entities and dependencies

National Agency of Industrial Security and Environmental Protection within the Hydrocarbons Sector

*Resolution that makes public the days that will be considered as non-working days affecting the acts and administrative proceedings before the Ministry of Environment and Natural Resources and non-concentrated entities.*⁴

- On March 24, 2020, the Ministry of Environment and Natural Resources issued a resolution according to which the days between March 23 and April 17, 2020 are considered as non-working days, without implying a labor suspension in the Ministry. This resolution includes non-concentrated entities such as ASEA.

Federal Superior Auditor

*Resolution by which the legal terms and deadlines are suspended in the Federal Superior Auditor, as a preventive measure against coronavirus (COVID-19).*⁵

Federal Antitrust Commission

*Resolution whereby the Plenary establishes that the terms of some procedures will be suspended.*⁶

- From March 23, 2020 to April 17, 2020, there will be no deadlines or terms for the procedures processed before the Federal Antitrust Commission.
- The documents that should be filed between the dates indicated will be understood to be filed on April 20, 2020.
- The procedures included in articles 90, 92, 98 and 99, as well as articles 111, 112, 113 Bis, 113 Bis 1, 113 BIS 2, 1113 BIS 3 of the Federal Economic Competition Law, 1113 BIS 4, 113 BIS 5, 113 BIS 6 and 133 of the Regulatory Arrangements of the Federal Economic Competition Law, are exempt from the foregoing with respect to which deadlines and terms are not suspended.

National Banking and Securities Commission (CNBV)

- The National Banking and Securities Commission announces special accounting measures applicable to credit institutions, in light of the coronavirus outbreak.⁷

In response to the request filed on March 24, 2020 by the Asociación de Bancos de México, A.C. (the Banks Association of Mexico), the CNBV issued a press release on March 25, 2020, in which it informs

³ https://www.dof.gob.mx/nota_detalle.php?codigo=5590339&fecha=24/03/2020

⁴ http://dof.gob.mx/nota_detalle.php?codigo=5590173&fecha=24/03/2020

⁵ https://www.dof.gob.mx/nota_detalle.php?codigo=5589962&fecha=20/03/2020

⁶ https://www.dof.gob.mx/nota_detalle.php?codigo=5590194&fecha=24/03/2020

⁷ <https://www.gob.mx/cnbv/prensa/16-2020-comunicado-conjunto>

that, for the purposes of mitigating the economic effects of Covid-19, such supervising body has issued special accounting standards applicable to banks with respect to consumer, housing and commercial credits, and for clients whose source of payment is affected by this contingency.

In general terms, the press release highlights that the easing will consist of partial or total deferral of capital and/or interests payments for four months, with the possibility to extend it for two additional months. Additionally, the balances might be frozen by banks without interest charge. The latter shall be applicable as long as the credit is classified as in full force and in effect by February 28, 2020. The press release further explains that, support will apply to mortgages, revolving and non-revolving credits granted to natural persons, such as: automotive credits, personal credits, payroll credits, credit card credits and microcredits; as well as for commercial credits targeting companies or natural persons with commercial activities in its wide varieties, including the agricultural sector.

The Commission reiterates its commitment to and solidarity with the Mexican people to contribute throughout the regulation and supervision, the stability of the Mexican Financial System and the well-being of its population. The Commission highlights that it is putting efforts into issuing similar accounting standards for other sectors of the financial system, such as nonbank financial entities like Sofipos, Socaps and Credit Unions.

- On March 26, 2020, the CNBV published in the afternoon edition of the Federal Official Gazette,⁸ the Agreement establishing temporary and extraordinary measures and suspending some deadlines for the attention of financial entities and people subject to supervision of the National Banking and Securities Commission, due to the coronavirus outbreak.

National Hydrocarbons Commission

*Resolution that establishes the suspension of legal terms and deadlines in the National Hydrocarbons Commission as a preventive measure to contain the spread of COVID-19.*⁹

- On March 20, 2020, the CNH issued a resolution according to which all terms and deadlines of its proceedings are suspended from March 23 to April 19, 2020. Therefore, the suspension will affect and delay the receipt of documents, reports, procedures, actions and diligences; the initiation, progress and resolution of proceedings, notices, subpoenas, formal notices, requirements, information or document requests and appeals, as well as any action that may be required by CNH public officials.

Energy Regulatory Commission

*Resolution that establishes the suspension of legal terms and deadlines in the Energy Regulatory Commission as a preventive measure to contain the spread of COVID-19.*¹⁰

- On March 24, 2020, the CRE issued a resolution according to which all terms and deadlines of its proceedings are suspended from March 24 to April 17, 2020. Therefore, certain acts and proceedings will be delayed (i.e. the granting and modification of permits), as well as requirements and applications before the Commission.

Council of the Federal Judiciary

*General resolution number 4/2020 of the Plenary Session of the Council of the Federal Judiciary regarding contingency measures to protect the public from the COVID-19 pandemic.*¹¹

Federal Institute of Telecommunications

*Resolution in which the Plenary of the Federal Institute of Telecommunications, due to force majeure, determines the cases in which the terms and deadlines are suspended, as well as its exceptions, based on articles 28, second and third paragraphs of the Federal Law of Administrative Procedure; article 115, second paragraph and 121 of the Federal Economic Competition Law, on the grounds of the contingency measures of the coronavirus COVID-19.*¹²

⁸ http://dof.gob.mx/nota_detalle.php?codigo=5590567&fecha=26/03/2020.

⁹ https://www.dof.gob.mx/nota_detalle.php?codigo=5590064&fecha=20/03/2020.

¹⁰ http://www.dof.gob.mx/nota_detalle.php?codigo=5590342&fecha=24/03/2020.

¹¹ https://www.dof.gob.mx/nota_detalle.p%3Chp?codigo=5589993&fecha=20/03/2020

¹² <http://www.ift.org.mx/comunicacion-y-medios/comunicados-ift/es/el-ift-anuncia-suspension-de-plazos-y-terminos-comunicado-272020-20-de-marzo>.

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- From March 23, 2020 to April 19, 2020, due to *force majeure*, activities of the Federal Institute of Telecommunications are suspended and, as a consequence, there will be no deadlines or terms for processing, actions and procedures regarding telecommunications and broadcasting services to avoid health risks for public servants and those who come to the facilities.
 - From March 23, 2020 to April 19, 2020, due to *force majeure*, the procedures are suspended and, consequently, the legal terms and deadlines for the procedures, actions and investigations in the matter will be suspended.
 - The formalities, actions and procedures contained in the Annex to Agreement P/IFT/EXT/200320/513 will continue their legal course in business days and hours, for which the legal terms and deadlines will continue. They will be implemented and attended remotely by electronic means of communication or with public servants whose presence is indispensable in the facilities of the Federal Institute of Telecommunications during an on-site working time of 9:00 a.m. and 6:30 p.m., Monday through Thursday, and Friday between 9:00 a.m. and 3:00 p.m.
 - The Compliance Department may carry out surveillance and verification actions to resolve harmful interferences and other irregularities and disturbances that arise in the systems used for the provision of telecommunications and broadcasting services for their correction. This in accordance with article 63 of the Federal Law of Telecommunications and Broadcasting, as well as those that are required to attend to ensure and guarantee the continuity in the provision of telecommunications and broadcasting services, including the supervision of the payment of consideration, rights, products and uses in charge of the regulated subjects and the attention to the requests of quotas on entitlements for the use of radio frequency bands and other regulated subjects of the telecommunications and broadcasting services, as well as of tradeoffs, products and uses.
 - The Filing Office of the Federal Institute of Telecommunications will remain open.
 - The Plenary sessions of the Federal Telecommunications Institute will continue to take place.

National Electorate Institute

Extract from the INE/JGE34/2020 resolution of the General Executive Board of the Federal Electoral Institute, which determines preventive and action measures, due to the COVID-19 pandemic.¹³

Institute of Industrial Property

Resolution by which terms are suspended and there are no deadlines in the Mexican Institute of Industrial Property in the indicated period.¹⁴

Institute for Transparency, Access to Public Information, Personal Data Protection and Accountability

- INAI suspends deadlines and legal terms to respond to requests for information and means of challenge due to COVID-19.
- From March 23, 2020 to April 17, 2020, the terms and deadlines established for handling requests for information and protection of personal data, review resources, non-conformity resources, attraction of resources, complaints and penalties are suspended.
- Substantial activities of the Data Protection Authority will continue, including Plenary sessions.
- Extension of period until May 30, 2020 for loading information and transparency obligations according to the Federation's entities bound in the transparency websites of the National Platform.
- Implementation of preventive administrative measures for public servants of the Data Protection Authority in relation to the coronavirus.

¹³ https://www.dof.gob.mx/nota_detalle.php?codigo=5590205&fecha=24/03/2020

¹⁴ https://www.dof.gob.mx/nota_detalle.php?codigo=5590344&fecha=24/03/2020

Federal Consumer Protection Department

Resolution that establishes the means for dealing with complaints and procedures in the Federal Consumer Prosecutor's Office and suspends the periods and terms indicated.¹⁵

Ministry of Communications and Transportation

Resolution by which it is made public the days that will be considered as non-working days for the effects of the acts and administrative procedures carried out in the administrative units of the Department of Communications and Transport due to the coronavirus contingency (COVID-19).¹⁶

Ministry of Public Education

Resolution number 02/03/20 by which classes are suspended in preschool, primary and secondary; teacher training and other schools for the training of basic education teachers in the National Education System, as well as those of the upper and higher average types under the Ministry of Public Education.¹⁷

Ministry of Energy

Resolution that establishes the suspension of legal terms and deadlines of the Ministry of Energy as a preventive measure for the containment of the coronavirus outbreak.¹⁸

- On March 25, 2020, SENER issued the resolution according to which all terms and deadlines of its proceedings are suspended from March 25 to April 19, 2020. Therefore, the suspension will affect and delay the actions, notifications, requirements, applications or promotions presented before the ministry. However, the suspension measure does not apply to procedures for acquisitions, procurement and extremely urgent services.

Ministry of the Interior

Resolution establishing the suspension of legal deadlines and terms in the proceedings of the Ministry of the Interior as indicated.¹⁹

Ministry of Environment and Natural Resources

Resolution by which the general public is made aware of the days that will be considered as non-working days for the purposes of the administrative acts and procedures carried out by the Department of the Environment and Natural Resources and its decentralized administrative bodies.²⁰

Senate

Resolution of the Political Coordination Board and Board of Directors suspending events in the Senate.²¹

Federal Court of Administrative Justice

Resolution SS/10/2020 determining the suspension of jurisdictional activities from March 18 to April 19, 2020.²²

II. Local Authorities

Mexico City

Public Administration of Mexico City – Head of Government

First resolution determining the temporary suspension of activities of education establishments and centers, as well as public and private events with more than 50 people, in order to avoid the spread of COVID-19.²³

¹⁵ https://www.dof.gob.mx/nota_detalle.php?codigo=5590066&fecha=20/03/2020

¹⁶ https://www.dof.gob.mx/nota_detalle.php?codigo=5590057&fecha=20/03/2020

¹⁷ https://www.dof.gob.mx/nota_detalle.php?codigo=5589479&fecha=16/03/2020

¹⁸ http://www.dof.gob.mx/nota_detalle.php?codigo=5590427&fecha=25/03/2020

¹⁹ https://www.dof.gob.mx/nota_detalle.php?codigo=5590337&fecha=24/03/2020

²⁰ https://www.dof.gob.mx/nota_detalle.php?codigo=5590173&fecha=24/03/2020

²¹ <https://infosen.senado.gob.mx/sgsp/gaceta/64/2/2020-03-12->

1/assets/documentos/Acuerdo_JCP_MD_Suspension_Eventos_Senado.pdf

²² https://www.dof.gob.mx/nota_detalle.php?codigo=5590120&fecha=23/03/2020

²³ http://data.consejeria.cdmx.gob.mx/portal_old/uploads/gacetas/887ed477612cfc31d077d94d4faa212f.pdf

- The Head of Government presented the campaign #StayAtHome with the aim of informing about prevention measures against the coronavirus disease.²⁴
- The Government of the Capital City and the municipalities agree to temporarily suspend activities and establishments due to COVID-19.²⁵
- The Government of Mexico City suspends the procedures and extends the deadline for tax payment.²⁶
- The Government of Mexico City strengthens measures to prevent the spread of coronavirus by reinforcing the International Health Unit at the Mexico City International Airport and increasing information campaigns on public transport and schools, as well as the attention of Locatel operators.²⁷

Mexico City Congress

*Resolution approving the suspension of deadlines for the effects of the acts and procedures indicated, derived from the health contingency related to COVID-19.*²⁸

Institute for Transparency, Access to Public Information, Personal Data Protection and Accountability

*Notice disclosing the resolution approving the measures adopted by the Institute of Transparency, Access to Public Information, Personal Data Protection and Accountability of Mexico City and the suspension of terms and deadlines for the effects of the acts and procedures indicated, derived from the health contingency related to COVID-19.*²⁹

Social Attorney

*Notice to the general public that terms are suspended as a preventive measure against coronavirus (COVID - 19).*³⁰

Administrative Justice Court of Mexico City

*Resolution taken by the General Plenary of the Superior Chamber of the Administrative Justice Court of Mexico City, declaring the days of March 18 to April 17 of the year two thousand and twenty to be non-working days.*³¹

State of Mexico

Superior Audit Office

*Resolution 002/2020 issued by the Superior Audit Office of the State of Mexico regarding the suspension of hearings, deadlines and terms within the procedures developed in the Superior Audit Office of the State of Mexico, as a preventive measure against the coronavirus (COVID-19).*³²

Commission for Protection against Health Risks of the State of Mexico

*Resolution establishing preventive and safety measures in health matters to avoid a possible infection of coronavirus (COVID-19) in the State of Mexico.*³³

²⁴ <https://covid19.cdmx.gob.mx/comunicacion/nota/presenta-gobierno-capitalino-la-campana-quedateencasa>

²⁵ <https://covid19.cdmx.gob.mx/comunicacion/nota/acuerdan-gobierno-capitalino-y-alcaldias-cierre-temporal-de-actividades-y-establecimientos-por-coronavirus-covid-19>

²⁶ <https://covid19.cdmx.gob.mx/comunicacion/nota/suspende-gobierno-de-la-ciudad-de-mexico-tramites-presenciales-y-amplia-plazo-para-pago-de-contribuciones-fiscales>

²⁷ <https://covid19.cdmx.gob.mx/comunicacion/nota/fortalece-gobierno-de-la-ciudad-de-mexico-medidas-de-prevencion-por-covid-19>

²⁸ http://35.239.82.38/GACETA_317_24_03_20.pdf

²⁹ https://data.consejeria.cdmx.gob.mx/portal_old/uploads/gacetitas/4a71012c2af028272d11fc6e22b82920.pdf

³⁰ https://data.consejeria.cdmx.gob.mx/portal_old/uploads/gacetitas/4a71012c2af028272d11fc6e22b82920.pdf

³¹ https://data.consejeria.cdmx.gob.mx/portal_old/uploads/gacetitas/4a71012c2af028272d11fc6e22b82920.pdf

³² <https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar202.pdf>

³³ <https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar234.pdf>

Council of the Judiciary of the State of Mexico

*General Resolution of the Plenary of the Judiciary Council of the State of Mexico, in extraordinary session, dated March 17, 2020, through which it was determined to suspend activities in jurisdictional bodies and administrative units, as a preventive measure to address the health contingency of the coronavirus (COVID-19), in favor of the health and well-being of the users of the services of administration of justice and judicial public servants.*³⁴

Institute for Transparency, Access to Public Information and Personal Data Protection of the State of Mexico and Municipalities

*Resolution through which the Plenary of the Institute of Transparency, Access to Public Information and Protection of Personal Data of the State of Mexico and Municipalities, suspends the terms for the processing and discharge of the procedures established in the Law of Transparency and Access to Public Information of the State of Mexico and Municipalities and the Law of Protection of Personal Data in Possession of Compelled Subjects of the State of Mexico and Municipalities from March 23, 2020 until April 17, 2020, in view of the situation of the COVID-19 virus.*³⁵

Legislative Branch of the State of Mexico

*Resolution 001/2020 regarding the suspension of hearings, time limits and terms within the procedures of administrative responsibility for matters within its competence and regarding actions to prevent the spread of COVID-19.*³⁶

Executive Branch of the State of Mexico

*Resolution of the State Executive to implement fiscal and administrative actions due to the health emergency caused by the COVID-19 virus.*³⁷

Ministry of Tourism

*Resolution of the Ministry of Tourism that issues the actions to be carried out by the administrative units, and decentralized bodies of the secretariat in light of COVID-19.*³⁸

Administrative Justice Court of the State of Mexico

*Resolution of the Presidency of the Administrative Justice Court of the State of Mexico, which suspends jurisdictional and administrative activities of the court from March 20, 2020 until April 3rd, 2020 and from April 13, 2020 until April 17, 2020, (considering Saturdays and Sundays as non-working days), including April 6, 2020 to April 10, 2020 as they are the vacation period in accordance with the official calendar approved for 2020; the above, derived from the contingency of the COVID-19.*³⁹

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³⁴<https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar191.pdf>

³⁵<https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar232.pdf>

³⁶<https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar202.pdf>

³⁷<https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar202.pdf>

³⁸<https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar242.pdf>

³⁹<https://legislacion.edomex.gob.mx/sites/legislacion.edomex.gob.mx/files/files/pdf/gct/2020/mar191.pdf>