

#### Who must submit the procedure?

Trustee institution in trusts on shares or corporate equity interest, on real estate, and on neutral investment.

#### In which cases must you submit the procedure?

It must be submitted when, in the trust contract, whereby rights in favor of the foreign investment or of Mexicans who have or acquire another nationality and who have their domicile outside Mexican territory shall be derived.

#### When must you submit the procedure?

It must be submitted within 40 business days following the date in which rights in favor of the foreign investment or of Mexicans who have or acquire another nationality and who have their domicile outside Mexican territory shall be derived.

#### How must you submit the procedure?

The procedure must be submited through the format published in the Official Journal of the Federation of September 4th, 2020. Likewise, you must attach the documentation and annexes that are indicated in the format (in the following link you can download the format that applies to this procedure). https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-001-C\_InscripcionSeccionTercera.docx >>> In sheets 2 and 3 of this document you will find the links to download the formats for process <<<.

#### Where can you submit the procedure?

- Online: <a href="https://rnie.economia.gob.mx">https://rnie.economia.gob.mx</a>
  In the following link you can download the guide for processing online that applies to you:

  <a href="https://rnie.economia.gob.mx/RNIE/resources/doctos/delegadofiduciario.pdf">https://rnie.economia.gob.mx/RNIE/resources/doctos/delegadofiduciario.pdf</a>

  >>> In sheet 4 of this document you will find the links to download the guides for processing online <<<.
- By email

>>> In sheets 5 and 6 of this document you will find the processing guide by email <<<.

Face-to-face at the window for services to citizens
>> In sheet 7 of this document you will find the Guide for processing face-to-face at the window for services to citizens <<.

#### What is the presentation schedule?

- Online or email: Open schedule.
- Face-to-face at the window for services to citizens: business days from 9:00 a.m. to 2:00 p.m.

#### What is the cost of the procedure?

The procedure is free of charge.

## How to calculate and pay the fine, in case of untimely performance?

>>> In sheet 8 of this document you will find the guide for the payment of fine <<<.

#### What is the legal framework of the procedure?

Article 32 of the Foreign Investment Law.

Article 41 of the Regulation of the Foreign Investment Law and the Foreign Investment National Registry.

## Responsible for the process:

#### Ms. Ivonne Itzel Martínez García

Tel. 55 52 29 61 00, ext. 33431 ivonne.martinez@economia.gob.mx

For more information you can select the following link and look for the key SE-02-001-A https://conamer.gob.mx/tramites/buscador



## Links to download questionnaire for processing

### Natural persons and foreign moral persons (First Section)

- I. Request for registration before the Foreign Investment National Registry.

  https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-001-A\_InscripcionSeccionPrimera.docx
- II. Quarterly update notice.

  https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-005-A\_AvisoActualizacionTrimestralSeccionPrimera.docx
- III. Annual economic report (registration renewal).

  https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-004-A\_EconomicoSeccionPrimera.docx
- IV. Registry cancellation.

  https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-003-A\_CancelacionSeccionPrimera.docx

## Mexican societies with foreign investment in their capital stock (Second Section)

- I. Request for registration before the Foreign Investment National Registry.

  <a href="https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-001-B\_InscripcionSeccionSegunda.docx">https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-001-B\_InscripcionSeccionSegunda.docx</a>
- II. Quarterly update notice.
  - https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-005-B\_AvisoActualizacionTrimestralSeccionSegunda.docx
- III. Annual economic report (registration renewal).

  <a href="https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-004-B\_EconomicoSeccionSegunda.docx">https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-004-B\_EconomicoSeccionSegunda.docx</a>
- IV. Registry cancellation.

  https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-003-B\_CancelacionSeccionSegunda.docx

## Trusts on shares or corporate equity interest, on real estate, and on neutral investment whereby rights in favor of the foreign investment (Third Section)

- I. Request for registration before the Foreign Investment National Registry.

  https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-001-C\_InscripcionSeccionTercera.docx
- II. Modification notices to the information previously provided.
  <a href="https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-002-C\_AvisoSeccionTercera.docx">https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-002-C\_AvisoSeccionTercera.docx</a>
- III. Registry cancellation.
  https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-003-C\_CancelacionSeccionTercera.docx



## Public notaries (notices in terms of article 34 of the Foreign Investment Law)

I. Public notaries notice.

https://www.economia.gob.mx/files/comunidad\_negocios/ied/FF-SE-02-06\_FormatoFedatarios.docx

## Additionally, the FINR puts at your disposal the requirements for the following free forms

1. Access to file

 $\underline{https://rnie.economia.gob.mx/RNIE/resources/doctos/FormatoSolicitudConsultaExpedienteok.doc}$ 

2. Certified copies

https://rnie.economia.gob.mx/RNIE/resources/doctos/FormatoSolicitudCopiasCertificadas.doc

3. Constancy

 $\underline{https:/\!/rnie.economia.gob.mx/RNIE/resources/doctos/formatoconstancia.doc}$ 

4. Obligations registry consults

 $\underline{https://rnie.economia.gob.mx/RNIE/resources/doctos/FormatoConsultaObligacionesRegistrales.doctos/FormatoConsul$ 

5. Extension

https://rnie.economia.gob.mx/RNIE/resources/doctos/formatoprorroga.doc



## **Guides for processing online**

We put at your disposal guides to help you in processing online: Next, we provide the link to access the guide that corresponds to the legal personality you will use to present procedures before the Foreign Investment National Registry (FINR).

1. Foreign individual person.

https://rnie.economia.gob.mx/RNIE/resources/doctos/personafisica.pdf

2. Legal representative of foreign person or foreign moral person or Mexican societies with foreign investment in its capital stock.

https://rnie.economia.gob.mx/RNIE/resources/doctos/representantelegal.pdf

3. Fiduciary delegate.

https://rnie.economia.gob.mx/RNIE/resources/doctos/delegadofiduciario.pdf

4. Public Notary

https://rnie.economia.gob.mx/RNIE/resources/doctos/fedatariopublico.pdf



## Guide for processing by email

### For sending procedures by email, you must consider the following:

- I. Indicates on the subject of the message, the type of procedure that is being sent and the name of the obligated entity.
  - In case of fiduciary institutions obligated to submit procedures in the Third Section of Foreign Investment National Registry, in accordance with Article 32, fraction III of Foreign Investment Law, you will be write the name of the trustee in the first place on the subject.
- II. Attach questionnaire that corresponds to the procedure, properly signed by Fiduciary Delegate, Public Notary, Legal Representative, Attorney or Authorized.
- III. Attach annexes that correspond to the procedure, properly signed by Fiduciary Delegate, Public Notary, Legal Representative, Attorney or Authorized.

#### Relevant notes

- 1. In all the procedures presented by email, an acknowledgment of receipt will be sent to the sender's email address, with income ID, date, and public official name who received the procedure.
- 2. If obvious errors or omissions are detected in the presentation, the respective requirement will be notified, which must be answered within five business days following the notification of that requirement (the answer must be sent only to the email of the public official who sent the requirement). In case that the requirements are not accomplished in the aforementioned period, the authority will discard the original questionnaire and the matter concerned will be understood as not submitted, this based on last paragraph of article 34 of the Regulation of the Foreign Investment Law and the Foreign Investment National Registry.
- 3. The acknowledgment sent through email will be valid as constancy of the process concerned and will not require any information face to face at the window for services to citizens.



The emails, assigned for the receipt of the procedures of the Foreign Investment National Registry, are the following:

Procedure	Email		
Request for registration in the Foreign Investment	inscripciones.rnie@economia.gob.mx		
National Registry.			
Modification notice to the information previously	avisostercera.rnie@economia.gob.mx		
provided to the Third Section of the Foreign			
Investment National Registry.			
Registry cancellation in the Foreign Investment	cancelaciones.rnie@economia.gob.mx		
National Registry.			
Annual economic report (registration renewal)	anuales.rnie@economia.gob.mx		
presented to the Foreign Investment National			
Registry.			
Quarterly update notice presented to the Foreign	trimestrales.rnie@economia.gob.mx		
Investment National Registry.			
Public notaries notice in terms of article 34 of the	fedatarios.rnie@economia.gob.mx		
Foreign Investment Law.			
Extension.	tramites.rnie@economia.gob.mx		
Access to Foreign Investment National Registry files	archivo.rnie@economia.gob.mx		
Obligations registry consults. (Competence of the	tramites.rnie@economia.gob.mx		
Foreign Investment National Registry).			
Constancies and Certified copies (competence of	tramites.rnie@economia.gob.mx		
the Foreign Investment National Registry).			



## Guide for processing face-to-face at the window for services to citizens

In order to submit your procedures face-to-face at the window for services to citizens, you must consider the following:

- I. If your procedure is presented untimely and, therefore, requires the payment of a fine, make the corresponding payment (in sheet 8 you can see the Guide for the fine calculation).
- II. Fill the electronic format (PDF, Word or Excel), obtain the annexes that must be accompanied by it, digitize them in PDF format and present them on a storage device, in one of the following places:
  - The offices of the Foreign Investment National Registry located in Insurgentes Sur 1940, Ground Floor, Colonia Florida, Territorial Demarcation Álvaro Obregón, C.P. 01030, Mexico City.
  - Any representation office of the Economy Secretariat in the country.
- III. The schedule is on business days from 9:00 a.m. to 2:00 p.m.
- IV. The format can be presented face-to-face at the window for services to citizens as long as there are no health circumstances or derived from natural phenomena that prevent the presentation of the procedures in these offices.



## **Guide for the fine calculation**

With this guide you will learn how to calculate the fine and generate your "Hoja de Ayuda" for payment in a bank counter in case of presenting an untimely procedure before the FINR.

Before starting the fine calculation, you must:

- Be in the process of presenting an untimely procedure before the FINR.
- Know the name, denomination or social reason of the subject on which you want to present the procedure.

You must be careful with the following:

- "Fecha de notificación" or notification date refers to the day in which you will send through the platform the process to the FINR (online), the date on which you will send your processing to the corresponding institutional email, or, the date on which you will physically deliver your request face-to-face at the window for services to citizens.
- Payment of fine must be presented in the name of the natural person or foreign moral person or of the Mexican society to which the procedure corresponds.
- After generating your "Hoja de Ayuda" you have five business days for the presentation of the procedure with the same amount of the sanction generated by the system.
- This method is not intended to replace nor it is part of the administrative sanctions imposition procedure established in the Federal Administrative Procedure Law (LFPA).

In this guide you will find two processes:

#### How is the fine calculated?

In sheet 9 of this document you will find the information.

### How do you obtain your "Hoja de Ayuda" to pay the fine?

In sheet 14 of this document you will find the information.

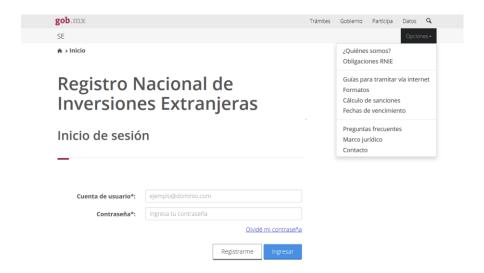


### How is the fine calculated?

1. Enter the FINR website (https://rnie.economia.gob.mx) and go to the tab click on the option

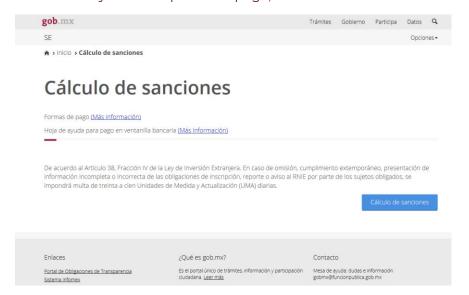
Cálculo de sanciones

Opciones **▼** and



 $2 \, {\color{blue} {\text{\footnote{1.5}}}}\,$  The system will direct you to the penalties page, click on

Cálculo de sanciones







3. It shows the fine calculator. You should capture in the tab "Nombre del obligado" the name, denomination or social reason of the subject regarding of which you are going to present the procedure. Choose also the section to which it belongs.

Select the type of procedure regarding which you will process the fine.

# Calculadora de sanciones Calcula una sanción no registrada en el sistema: Nombre del obligado\*: EMPRESA S.A. DE C.V Tipo trámite: Selecciona ¡Mensaje importantel: Si debes más de cuatro trámites de la misma empresa, eres sujeto al esquema de regularización integral. Para mayor información contacta a un funcionario del RNIE. \* Campos obligatorios

Note: "Fecha de notificación" or notification date refers to the day in which you will send through the platform the process to the FINR (online), the date on which you will send your processing to the corresponding institutional email, or, the date on which you will physically deliver your request face-to-face at the window for services to citizens.

4. In case of "SOLICITUD DE INSCRIPCIÓN" or Request for registration in the Foreign Investment National Registry, capture the "Fecha de Notificación" or notification date field and the "Fecha del Movimiento" or movement date. The latter can refer, as the case may be, at the date of started operations in Mexico (First Section), at the entry of foreign investment to the capital stock according to the Act of Assembly (Second Section), or to the date of constitution of the Trust by which right in favor of foreign investment is derived (Third Section).

### Calculadora de sanciones



\* Campos obligatorios





5. In case of "INFORME ECONOMICO ANUAL" or annual economic report, you must to capture the field "Fecha de Notificación" or notification date and select the year you are going to report.

# Calculadora de sanciones Calcula una sanción no registrada en el sistema: Nombre del obligado\*: EMPRESA S.A. DE C.V Sección\*: S

6. In case of "Solicitud de Cancelación" or Registry cancellation, you must capture the fields "Fecha de Notificación" or notification date and the "Fecha del Movimiento" or movement date. The latter can refer, as the case may be, to the date at which ending the acts of trade in Mexico (First Section), In case of liquidation of a company, at the date of protocol of the General Assembly Act of Partners or Shareholders where they then approve the final balance of the liquidation; in case of merges, It will be the one that is indicated as a date on which the merger takes effect; and in case that stop participating foreign investment, it will depend on the specific reason (Second Section), or the date on which rights in favor of foreign investment are extinguished (Third Section).

# Calcula una sanción no registrada en el sistema: Nombre del obligado\*: EMPRESA S.A. DE C.V Tipo trámite: Cancelación de Inscripción Seccion II Fecha de notificación: 08/05/2019 Fecha de movimiento: 03/01/2019 iMensaje importante!: SI debes más de cuatro trámites de la misma empresa, eres sujeto al esquema de regularización integral. Para mayor información contacta a un funcionario del RNIE. \* Campos obligatorios Regresar Calcular

Calculadora de sanciones





1 In case of "AVISO DE ACTUALIZACIÓN TRIMESTRAL" or Quarterly update notice, you most capture the "Fecha de Notificación" or notification date and select the quarter and the year you are going to present.

## Calculadora de sanciones



8. In case of "AVISO DE MODIFICACIÓN A LA INFORMACIÓN PREVIAMENTE PRERSENTADA" or Modification notice to the information previously provided Third Section, you must to capture the "Fecha de Notificación" or notification date and the "Fecha del Movimiento" or movement date.

### Calculadora de sanciones

Calcular



Select after having entered the corresponding information. The system will calculate the amount of the fine and the days of extemporaneity.





10. Select . This will be downloaded in PDF. (Depending on the browser, you will have to go to the download folder). Remember that the "Hoja de Ayuda" that is generated is not intended to replace nor is it part of the sanctions imposition procedure established in the LFPA.

#### Resultados Monto de la sanción 2,788.00 Días de extemporaneidad 23 ¡Mensaje importantel: Si debes más de cuatro trámites de la misma empresa, eres sujeto al esquema de regularización integral. Para \* Campos obligatorios Generar reporte gob.mx CRETARIA DE COMPETITIVIDAD Y NUMERO DE DIRECCIÓN GENERAL DE INVERSIÓN EXTRANJERA VOLANTE PARA ORDEN DE COBRO CLAVE DE VOLANTE DGIE **FOLIO** SE 309220 Fecha de notificación: 22/03/2019 Fecha de emisión: 28/03/2019 Nombre EMPRESA S.A. DE C.V Con fundamento en el artículo 38, fracción IV de la Ley de Inversión Extranjera CONTROL Fecha límite de presentación del trámite con el monto mostrado en Monto \$ 2,788.00 29/03/2019 28/03/19 01:42 PM Días de salario 33 Sección Trámite Año Trimestre Solicius Registro Nacional us Extranjeras Solicitud de inscripción en el egistro Nacional de Inversiones Fecha del movimiento:

El presente volante de pago de sanción fue emitido por el Sistema de Información del Registro Nacional de Inversiones Extranjeras, por lo cual no requiere ni firma ni sello por parte de la Secretaría de Economía.

#### CONSIDERACIONES GENERALES PARA EL PAGO

El presente volante no pretende sustituir ni es parte del procedimiento de imposición de sanción establecido en la Ley Federal de Procedimiento Administrativo. Los pagos de derechos y multas únicamente pueden realizarse por medios electrônicos a través de lintemet (portal bancario) o de ventanillas bancarias:

- En caso de hacerlo por ventanilla bancaria, el particular debe llenar previamente una hoja de ayuda con la clave de la dependencia, clave de referencia, cadena de la dependencia y monto a pagar.
- Vía Internet, el particular ingresa al portal bancario autorizado y captura la clave de la dependencia, clave de referencia, cadena de la dependencia y monto a pagar. El banco a su vez emite el recibo bancario del pago por la misma vía, el cual deberá imprimirse como comprobante de que realizó el pago.



## How do you obtain your "Hoja de Ayuda" to pay the fine?

After that select the option

Regresar

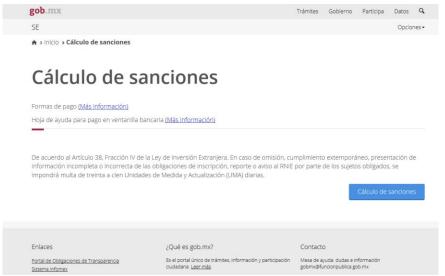
and click Again in the tab

Cálculo de sanciones

Cálculo de sanciones

Finally, select

Hoja de ayuda para pago en ventanilla bancaria (Más información)



2 On the penalties page click on the option

Dirección General de Inversión Extranjera

LISTA DE TRÁMITES Y SERVICIOS.  Sólo se recibirán pagos por medios electrónicos.  SECRETARÍA DE ECONOMÍA.  Trámites y Servicios de la Secretaría de Economía.						
Unidad de Asuntos Jurídicos	Dirección General de Inversión Extranjera	Dirección General de Comercio Exterior				
Dirección General de Normas	Dirección General de Recursos Materiales y Servicios Generales	Dirección General de Normatividad Mercantil				
Dirección General de Minas	Dirección General de Capacitación e Innovación Tecnológica	Dirección General de Programación Organización y Presupuesto				
ORGANOS DESCONCENTRADOS.						
Trámites y Servicios del Instituto Nacional de la Economía Social (INAES).						
Dirección General de Planeación y Evaluación	Dirección General de Operación Regional	Dirección General de Administración y Finanzas				
Trámites y Servicios de la Comisión Federal de Mejora Regulatoria (COFEMER).						
Dirección de Administración						



3. In the list of "Hoja de Ayuda" locate the option "Multas impuestas por la Dirección General de Inversión Extranjera" o fines imposed by the Foreign Investment General Directorate "and click on Hoja

Homoclave	Trámite	Clave de Referencia	Cadena de la Dependencia	Cuota	Hoja de Ayuda
SE-00-002	Expedición de copias certificadas.	104001152	00020020000000	18.00	Hoja
SE-00-002	Cedulas y Constancias	104001152	00020020000000	150.00	Hoja
No aplica	Multas impuestas por la Dirección General de Inversión Extranjera	107001512	00025000000000	Variable	Hoja
SE-00-003-B	Consultas en materia de inversión extranjera	104000478	00000030000000	627.00	Hoja
SE-02-007	Autorización de la Comisión Nacional de Inversiones Extranjeras (Personas Físicas Extranjeras). A- NUEVAS SOCIEDADES, B- ADQUISICIÓN DE ACCIONES	104000478	00020060000000	6,499.00	Hoja



4. Capture the fields requested by the system: "RFC" and denomination or social reason, In case of a moral person, and the name in that of a natural person. Enter the amount obtained in the calculation of the fine and, at the end, click on Enviar.



5. A PDF file will be downloaded with the reference key and the amount of the payment with which you can pay the fine at any banking institution or through your bank website.

