

On April 6 of this year, the Ministry of Health issued a decree establishing technical guidelines related to the activities described in paragraphs c) and e) of section II of the First Article of the Decree issuing extraordinary actions to face the health emergency derived from SARS-CoV2 virus, published on May 31, 2020.

Guidelines

As a reminder, the decree issued on March 31 provides for extraordinary actions to be implemented in order to face the health emergency derived from COVID-19, specifically regarding paragraphs c) and e) include certain activities deemed essential.

On the guidelines of April 6, the scopes of essential activities are specified and clarified.

- It shall be deemed as “activities where suspension may have irreversible effects for their continuance”, as referred to in the final part of paragraph c), section II, the companies producing steel, cement and glass as well as technology information services guaranteeing the continuity of informatic systems for public, private and social sectors.

Accordingly, the companies executing the activities listed above must maintain a minimum staff to guarantee their operation, especially those companies having agreements in force with the Federal Government, as well as continuing with the activities which allow them to fulfill their short-term commitments, exclusively for the projects of Dos Bocas, Tren Maya, Aeropuerto Felipe Ángeles, Corredor Transísmico; as well as the existent agreements deemed indispensable for Petróleos Mexicanos and Comisión Federal de Electricidad (CFE).

- “Courier companies” comprise as well, as essential activities, e-commerce companies and platform, provided that they comply with the previously issued measures (no gatherings over 50 persons and hygiene cares).
- Regarding the “companies necessary for preservation, maintenance and repairing of critical infrastructure that guarantees the production and distribution of indispensable services: electric power” it is provided that carbon mines shall maintain a minimum activity satisfying the needs of the CFE (Federal Commission of Electricity). Also, the companies distributing carbon shall maintain their transportation and logistics activities to satisfy the requirements of the CFE.

Requirements

It must be taken into account that, regarding the companies producing steel, cement, glass, carbon mines

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and companies distributing carbon, a requirement was established to inform the Ministry of Economy, via e-mail to the address economia@economia.gob.mx (within a maximum 24-hour term as from the publication of April 6, 2020), of the number of employees that had been deemed as necessary in order to maintain their operation at minimum levels

The e-mail must include the following information:

- a. Name of the company
- b. Name of legal representative
- c. Tax ID
- d. Telephone
- e. E-mail address
- f. Location
- g. Agreement number and name of the project or work
- h. Number of employees contracted under normal conditions
- i. Number of employees during the health contingency

Shortly

The guidelines above specify and clarify the scopes of the last concept provided in paragraph c) of the First Article of the Decree dated March 31, this is, the “activities where suspension may have irreversible effects for their continuance”, delimiting any safe-conduct to continue operations during this health contingency.

Undoubtedly, it will be important to analyze alternatives allowing employers and workers to preserve the sources of labor and the economy of the country; therefore, we remain at your services in order to support you in the execution of this hard task.

Contact us for further information:

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