

The Ministry of Economy announces the Uniform Regulations applicable to Chapters 4, 5, 6 and 7 of the T-MEC

Mexico City, August 25, 2021

On August 13, 2021, the "Resolution through which the Ministry of Economy publishes the Uniform Regulations concerning the interpretation, application and administration of Chapter 4 (Rules of Origin), Chapter 5 (Origin Procedures), Chapter 6 (Textile and Apparel Goods), and Chapter 7 (Customs Administration and Trade Facilitation) of the Agreement between the United Mexican States, the United States of America and Canada" (the "T-MEC Regulations") was published in the Federal Official Gazette ("DOF").

It is important to point out that the text of the aforementioned T-MEC Regulations had already been published in DOF on July 9, 2020 on the grounds of the adoption of Decision No. 1 of the T-MEC Free Trade Commission. However, as a result of the recent Decision No. 2 adopted by the Commission on May 18, 2021, it was necessary to issue these T-MEC Regulations, which will replace those previously adopted.

Notwithstanding the fact that the text of the T-MEC Regulations did not undergo any substantial change, in order to provide legal certainty to foreign trade users regarding the application of the provisions of the aforementioned Resolution, such provisions reiterate the guidelines already established regarding the determination of origin criteria, regional content calculation percentages and other provisions applicable to textiles and apparel.

Likewise, the criteria for determining the value of materials and the different types of materials are confirmed, as well as the assumptions of accumulation of origin and transshipment of the goods and the operations in which a product may not be considered as originating.

In addition, it includes definitions and interpretations applicable to automotive goods, specific rules of origin applicable to vehicles and auto parts, provisions applicable to the calculation of the regional content value for passenger vehicles, light and heavy trucks, steel and aluminum purchases and the additional requirement to determine the calculation of the labor content value

applicable to such products, as well as the alternative transition regime provided for in the provisions of the Resolution.

On the other hand, it also established provisions related to the interpretation, application and administration of requests for preferential tariff treatment, the bases and exceptions for the certification of origin, import and export obligations, requirements for the preservation of records and anticipated origin resolutions, among others.

Finally, it is important to mention that with the publication of this Resolution, the “Resolution through which the Ministry of Economy publishes the Uniform Regulations concerning the interpretation, application and administration of Chapter 4 (Rules of Origin), Chapter 5 (Origin Procedures), Chapter 6 (Textile and Apparel Goods), and Chapter 7 (Customs Administration and Trade Facilitation) of the Agreement between the United Mexican States, the United States of America and Canada”, published by the Ministry of Economy, is abrogated. The Resolution entered into force on August 14, 2021.

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