

# **HIGHLIGHTS IN RECENT LEGISLATIVE ACTIVITIES<sup>1</sup>**

## **AND EXECUTIVE DECREES**

### **MAY-JUNE 2009**

The purpose of this document is to inform our clients briefly on those projects and draft bills discussed recently within the Mexican Congress as well as Executive decrees promulgated, that we consider might be of your interest. The monitoring of the Congress activities by our firm covers the ordinary and extraordinary periods of both chambers as well as the sessions of the Permanent Commission (*Comisión Permanente*), during the recess of the others. In our reports we indicate the status of the draft bill in the legislative procedure and a summary of its most important contents. The information contained in this document is obtained by monitoring online the parliamentary gazettes of the House of the Representatives (*Cámara de Diputados*) and the Senate (*Cámara de Senadores*). Thus, complete and official information should be consulted directly in the following links:

<http://gaceta.diputados.gob.mx/>

<http://www.senado.gob.mx/gaceta.php?principio=inicio>

<http://www.dof.gob.mx>

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<sup>1</sup> While care has been taken in the preparation of this document, the matters herein are subject to change. No liability or responsibility is accepted by anyone for the content herein, which is merely descriptive and should not be used as substitute for legal advice.

# PROPOSALS ORIGINATED WITHIN THE HOUSE OF THE REPRESENTATIVES

April 30, 2009

## **DRAFT BILL WHICH ADDS CERTAIN PROVISIONS TO THE LABOUR LAW AND THE SOCIAL SECURITY LAW**

The aim of this proposal is to include a Fifth Chapter called "Women at Work" within the Federal Labor Law and the Social Security Law, so as to establish some measures to assure equality between men and women *vis-à-vis* the employer.

## **DRAFT BILL THAT AMENDS CERTAIN PROVISIONS OF THE FLAT RATE BUSINESS LAW ("IETU") AND THE INCOME TAX LAW ("ISR")**

The aim of this proposal is to exempt the payment of IETU and ISR to the authors who had written or made either a literary or artistic work.

## **DRAFT BILL WHICH ADDS CERTAIN PROVISIONS TO THE LAW FOR THE COMPETITIVENESS' DEVELOPMENT OF THE SMALL AND MEDIUM COMPANY**

The aim of this proposal is to create a specialized Agency which would substitute the current capabilities of the Ministry of Economy as regards the small and medium companies' competitiveness.

# PROPOSALS ORIGINATED WITHIN THE SENATE OF THE REPUBLIC

April 30, 2009

## **DRAFT BILL THAT AMENDS THE FEDERAL TAX CODE**

The aim of this proposal is to increase tax's and duties' collection through the execution of long-term agreements.

**DRAFT BILL THAT ISSUES THE FEDERAL LAW FOR THE PROTECTION OF RIGHTS OF INTERNET USERS.**

The aim of this proposal is to protect internet users' rights as well as users of services provided by internet and internet product consumers [thought ¿through?] web sites.

## **PROPOSALS ORIGINATED WITHIN THE PERMANENT COMMISSION**

May 13, 2009

**DRAFT BILL WHICH ADDS AND AMENDS THE FEDERAL HIGHWAYS, BRIDGES AND MOTOR TRANSPORTATION LAW**

The Project considers adding the Article 19Bis and 23 to the Federal Highways, Bridges and Motor Transportation Law, to establish an equal payroll system in highways during construction or maintenance works. The aim of the project is to diminish the amount of the usual highways quote, or even extent the payment of it, during the period of time that the maintenance works last.

May 27, 2009

**DRAFT BILL THAT AMENDS THE INDUSTRIAL PROPERTY LAW**

The aim of this proposal is to support and protect scientific, technical and technological investigation, making clearer the legal framework that regulates intellectual property. The draft's aim is that the Industrial Property Law shall consider among its objectives, the inclusion of the topic "Integrated circuits".

**DRAFT BILL THAT AMENDS THE FEDERAL LABOR LAW**

The aim of this proposal is to establish that, in case there is a medical contingency, the Health Ministry will set up compulsory rest days.

June 5, 2009

**DRAFT BILL THAT ISSUES THE LAW THAT ESTABLISHES THE EMPLOYMENT INCENTIVE PROGRAM**

The draft's aim is to establish a legal framework that promotes a true employment boost that generates one million employments per year in

Mexico. One of the purposes is the constitution of an Employment Fund of 50 thousand million pesos to enhance hiring of young professionals and adults over 40 year-old.

## HIGHLIGHTS IN DECREES PUBLISHED WITHIN THE OFFICIAL FEDERAL GAZETTE<sup>2</sup>

May 2, 2009

**MINISTRY OF FINANCE**  
**DECREE THAT EXTENTS FOREIGN TRADE TAX PAYMENTS**

The decree extends the payment of some foreign trade payments to handle the emergency situation caused by the swine flu epidemic. According to the Federal Tax Code, in case of catastrophes caused by epidemics, it is possible to extent, totally or in part, contribution payments and its accessories. As regards this case, the importation of medical equipment, surgical equipment, hygienic products and other merchandises related to the health sector.

May 6, 2009

**MINISTRY OF FOREIGN AFFAIRS**  
**DECREE THAT APPROVES THE AGREEMENT BETWEEN THE MEXICAN GOVERNMENT  
AND CHINA**

The decree approves the agreement between the Mexican Government and China to promote and protect investment in both nations; this agreement was signed in Beijing on July 11, 2008.

May 29, 2009

**MINISTRY OF TREASURY**  
**DECREE THAT APPROVES THE TRANSPARENCY AND RENDERING OF ACCOUNTS LAW**

The draft's aim is to incentive transparency and rendering of accounts of the federal public administration; the Federal Entities and Autonomous Organisms.

The decree purpose is to verify the Public Account which includes income, outcome, public debt, subsidies, transfers, donations and trusts.

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<sup>2</sup> All decrees are enacted by Felipe Calderon Hinojosa, President of the United Mexican States.

June 17, 2009

**MINISTRY OF TOURISM**

**GENERAL LAW OF TOURISM**

This decree is said to represent the Government response to the events that affected Mexico, such as swine flu epidemic and the economic crisis in the financial markets.

The new Law takes as rationales (i) the touristic territorial order, (ii) the concurrence of all governmental levels (Federal, local and municipal authorities) in order to establish a coordination system to assign obligations concerning tourism's matters. This decree also foresees the creation of Sustainable Developed Touristic Zones which aims to balance the need of protection of natural resources found in each Zone while at the same time to foster employment and investment

June 18, 2009

**MINISTRY OF ENERGY**

**BIOENERGETICS PROMOTION AND DEVELOPMENT REGULATION**

The Ministry of Energy issued the Bioenergetics Promotion and Development Regulation. The decree promotes the production of bioenergetics which shall be mixed with traditional combustibles as long as they are made by agricultural cultivates such as sugar, sweet sorghum or sugar beet. The decree's aim is to grant energetic balance to guarantee that the bioenergetics production is able to substitute fossil energy and contributes to the mitigation of green house effects.

June 27, 2009

**MINISTRY OF COMMUNICATIONS AND TRANSPORTATION**

**AMENDMENT OF THE PUBLIC ACQUISITIONS, LEASES AND SERVICES OF THE PUBLIC  
SECTOR LAW**

The aim of the amendment of the Public Acquisitions, Leases and Services of the Public Sector Law is to restructure the Public Works legal framework so that it helps to enhance Mexico's infrastructure development. The reform includes the establishment of a Contractor's Registry; and Arbitration is included in such legal framework as a solving disputes mechanism.