



Mexican Airspace Protection Law is enacted

Last Wednesday, March 1, 2023, was published in the Official Gazette of the Federation (“DOF”) the Decree enacting the Mexican Airspace Protection Law (the “Law”), which regulates articles 27, 48 and 73, section XXIX-M, of the Political Constitution of the United Mexican States, in matters of security and protection of the Mexican Airspace and entered into force on March 2, 2023.

This law is federal, of general observance in the national territory, and its purpose is to establish and regulate the measures, actions and procedures to preserve the security, sovereignty and national independence of the Mexican Airspace.

In terms of Article 4 of the Law, security for safeguarding sovereignty in the airspace over national territory is governed by the provisions therein and international treaties to which Mexico is a party in matters of civil aeronautics and the protection of human rights and, in the absence of express provisions, by the Civil Aviation Law, the Airports Law, the Federal Administrative Procedure Law, the Organic Law of the Mexican Army and Air Force and the Federal Criminal Code.

The Law establishes the following matters that are necessary to highlight:

The Mexican Ministry of National Defense (“SEDENA”):

- i. In accordance with its powers, it shall coordinate the participation of the corresponding authorities to assist in the surveillance and protection of the Mexican Airspace.
- ii. with the prior approval of the Surveillance and Protection Center, shall be in charge of issuing the necessary regulations for effective compliance with the Law.

The operation of the following institutions is regulated as summarized below:

- i. The Surveillance and Protection Center.
- ii. The Airspace Protection and Surveillance Council, and
- iii. The Airspace Surveillance and

Protection System.

The Surveillance and Protection Center shall have the authority to observe whether certain flight maneuvers may be considered as traces of interest, unauthorized flights or clandestine flights as long as the aircraft crew performs certain conducts established in the Law.

The Surveillance and Protection Center will carry out the activities for the operating detection means, coordinating and executing air interception, airspace monitoring, controlling operations within restricted airspace, determining air defense identification zones and Mexican airspace surveillance and protection zones, among others.

The Airspace Protection and Surveillance Council is the highest authority and will be in charge for issuing the policies of coordination and exchange of information between the different governmental dependencies of the Federal Public Administration, and these, according to their powers and based on the principles of legality and legal certainty, shall ensure the protection of Mexican airspace, as well they shall be in charge for determining the protocols to determine warnings in the airspace, the issuance of the manual of integration and operation of the Council.

Pursuant to Article 14 of the Law, Airspace Protection and Surveillance Council shall be composed by:

- i. The President of the Republic, who shall chair this Council;
- ii. The Secretary of Foreign Affairs;
- iii. The Secretary of SEDENA;
- iv. The Secretary of the Navy;
- v. The Secretary of Security and Citizen Protection;
- vi. The Secretary of Infrastructure, Communications and Transportation, and
- vii. The head of the Command of the Center, who will also be the head of the Technical Secretariat of this Council.

The purpose of the Airspace Surveillance and Protection System is to coordinate among the different governmental dependencies of the Federal Public Administration, the actions to be taken to prevent and inhibit illicit air operations that could threaten national security.

The Airspace Surveillance and Protection System, shall be comprised by:

- i. SEDENA, who will be in charge of coordinating this System through the Command of the Mexican Air Force, and the Command of the Surveillance and Protection Center;
- ii. the Ministry of the Navy, jointly with the Directorate of the Command and Control Center of the Mexican Navy;
- iii. the Ministry of Infrastructure, Communications and Transportation, with the Federal Civil Aviation Agency, and the Mexican Airspace Navigation Services;
- iv. the Ministry of Security and Citizen Protection, through the National Guard, and the National Intelligence Center; and finally
- v. the Ministry of the Interior through the National Immigration Institute.

Contacts

Ramón Bravo Herrera

Legal Services Partner
rambravo@deloittemx.com
Tel: +52 55 5080 6000

Héctor Cuevas González

Legal Services Partner
hcuevas@deloittemx.com
Tel: +52 55 5080 6000

Julio Paredes Valenzuela

Legal Services Manager
juparedes@deloittemx.com
Tel: +52 55 5080 6000

Leonet Pinto Núñez

Legal Services Manager
leopinto@deloittemx.com
Tel: +52 55 5080 6000

www.deloitte.com/mx
www.deloitte.com/mx/legal



tax@hand App

Download our tax@hand application and check tax news from Mexico and from different countries.

www.taxathand.com

Available for IOS and Android



Contacts:

Legal Services

Claudio Marroquín

clmarroquin@deloittemx.com

Erika Rodríguez

erodriguez@deloittemx.com

Germán de la Garza

gdelagarza@deloittemx.com

Héctor Cuevas

hcuevas@deloittemx.com

Mauricio Oropeza

moropeza@deloittemx.com

Octavio Novaro

onovaro@deloittemx.com

Ramón Bravo

rambravo@deloittemx.com

Valeria Vázquez

vavazquez@deloittemx.com

Victor Ávila

vavila@deloittemx.com

www.deloitte.com/mx

www.deloitte.com/mx/legales

Aguascalientes

Blvd a Zacatecas No. 845 Piso 4 int 410
Trojes de Alonso
20116, Aguascalientes, Ags.
Tel: (449) 910 8600
Fax: 449) 910 8601

Cancún

Avenida Bonampak SM 6, M 1, lote 1,
piso 10, 77500 Cancún, Q. Roo
Tel: (998) 872 9230
Fax: 998) 892 3677

Chihuahua

Av. Valle Escondido 5500
Fracc. Des. El Saucito E-2, piso 1,
31125, Chihuahua, Chih.
Tel: (614) 180 1100
Fax: 614) 180 1110

Ciudad Juárez

Baudelio Pelayo No. 8450
Parque Industrial Antonio J. Bermúdez
32400, Ciudad Juárez, Chih.
Tel: (656) 688 6500
Fax: (656) 688 6536

Culiacán

Insurgentes 847 Sur, Local 103
Colonia Centro Sinaloa
80128, Culiacán, Sin.
Tel: (33) 1454 2000

Guadalajara

Avenida López Mateos Norte 2405
piso 29
Colonia Italia Providencia
44648, Guadalajara, Jalisco.
Tel: (33) 3669 0404
Fax: (33) 3669 0469

Hermosillo

Blvd. Eusebio Francisco Kino No. 315
Piso 8, Suite 804, Colonia Lomas del Pitic
83010, Hermosillo, Son.
Tel: (662) 109 1400
Fax: (662) 109 1414

León

Paseo de los Insurgentes 303, piso 1
Colonia Los Paraísos
37320, León, Gto.
Tel: (477) 214 1400
Fax: (477) 214 1405 y 1407

Mérida

Calle 56 B 485 Prol. Montejo Piso 2
Colonia Itzimna
97100, Mérida, Yuc.
Tel: (999) 913 4032
Fax: (999) 913 4052

Mexicali

Calzada Francisco López Montejano 1342
Piso 7 Torre Sur
Fracc. Esteban Cantú
21320, Mexicali, B.C.
Tel: (686) 905 5200
Fax: (686) 905 5231 y 5232

Ciudad de México

Paseo de la Reforma 505, piso 28
Colonia Cuauhtémoc
06500, México, D.F.
Tel: (55) 5080 6000

Monclova

Blvd. Harold R. Pape # 307-C
Colonia Guadalupe
25750 Monclova, Coah.
Tel: (866) 190 9550
Fax: (866) 190 9553

Monterrey

Av. Juárez 1102, piso 40
Centro
64000, Monterrey, N.L.
Tel: (81) 8133 7300

Puebla

Edificio Deloitte, Vía Atlixcayotl 5506, piso 4
Zona Angelópolis
72190, Puebla, Pue.
Tel: (222) 303 1000
Fax: (222) 303 1001

Querétaro

Avenida Antea, No. 1090, piso 7
Colonia Jurica
76100, Querétaro, Qro.
Tel: (442) 238 2900
Fax: (442) 238 2975 y 2968

Reynosa

Carr. Monterrey-Reynosa 210-B, PA
Fracc. Portal San Miguel
88730, Reynosa, Tamps.
Tel: (899) 921 2460
Fax: (899) 921 2462

San Luis Potosí

Av. Salvador Nava Martínez 3125, 3-A
Fracc. Colinas del Parque
78294, San Luis Potosí, S.L.P.
Tel: (444) 102 5300
Fax: (444) 102 5301

Tijuana

Misión de San Javier 10643, Piso 8
Zona Urbana Río Tijuana.
22010, Tijuana B.C.
Tel: (664) 622 7878
Fax: (664) 681 7813

Torreón

Independencia 1819-B Oriente
Colonia San Isidro
27100, Torreón, Coah.
Tel: (871) 747 4400
Fax: (871) 747 4409

Deloitte.

Deloitte refers to Deloitte Touche Tohmatsu Limited, a private limited liability company in the United Kingdom, and its network of member firms, each as a single and independent legal entity. See www.deloitte.com/aboutus for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms.

Deloitte provides professional audit, consulting, financial advisory, risk advisory, tax, and related services to our public and private clients across a variety of industries. With a global network of member firms in more than 150 countries, Deloitte provides world-class capabilities and high-quality service to its clients, bringing the expertise needed to address the most complex business challenges. Deloitte's more than 415,000 professionals are committed to making an impact that matters.

As used in this document, "Deloitte" means Galaz, Yamazaki, Ruiz Urquiza, S.C., which has the exclusive legal right to engage in, and limits its business to, the provision of auditing, tax consulting, advisory and other professional services in Mexico, under the name "Deloitte".

This publication contains general information only and neither Deloitte Touche Tohmatsu Limited, nor its member firms, nor any of their respective affiliates (collectively the "Deloitte Network"), are rendering advice or services by means of this publication. Before taking any decision or action that may affect your finances or business, you should consult a qualified professional adviser. No entity of the Deloitte Network will be responsible for any loss that any person or entity that consults this publication may suffer.