

VISA BY FAMILY UNIT

Article 8. Visa for temporary or permanent residency applied for before the Institute by a family unit.

Applicable to: A Mexican or foreign person holder of the condition of stay of temporary resident, of temporary resident student, or permanent resident that requests a visa for a foreign person with whom he proves to have a relationship in accordance to the mentioned in the section of criteria for resolution of this proceed.

Requirements:

1	Original and copy of the valid official identification for a Mexican or valid residency card for the foreign person, to which the relationship is proved and requests visa for his/her relative(s).
2	Legible copy of the passport or document of identity and travel valid in accordance to the international law and in force for the foreign person which applies for the visa.
3	That the foreign person for whom the visa is required does not have a visa request of temporary or permanent residency submitted before the Institute by family unit pending of resolution.
4	<p>The applicant should prove the family relationship to the foreign person for whom he requests visa, in accordance to the following:</p> <ol style="list-style-type: none"> For the applicant's father or mother a birth certificate should be submitted in original and copy; or For the son of the applicant, a birth certificate of the foreign person for whom the visa in original and copy was requested. The aforementioned as long as a foreign person for whom the visa is applied for is a child or a teenager that has not married or that is under his/her legal representation or is of legal age but has incapacity and is under his/her legal representation; or If is the applicant's spouse, certificate of marriage in original and copy. In case that the applicant is Mexican he/she should submit Mexican certificate of marriage; or In case that the applicant has proved the marriage relationship with other person, he/she should present the document issued by the competent authority in original and copy, in which it is determined its dissolution or termination; or In the case of the applicant's cohabitant, document granted by the competent authority from the country of origin or residency of the foreign person for whom the visa is requested, or the country in which the legal act took place that proves that he/she has lived with the applicant, without interruption, permanently for a period of minimum five years, or In the case of the spouse or cohabitant's son as long as a foreign person for whom the visa is applied for is a child or a teenager that has not married or that is under his/her legal representation or is of legal age but has incapacity and is under his/her legal representation, it is required: <ol style="list-style-type: none"> Birth certificate of the foreign person for whom the visa is required, in original and copy, That the father or mother of the foreign person for whom the visa is requested, proves relationship to the applicant in accordance to the mentioned in subsection c and d of this procedure, in original and copy, Copy of the passport or document of identity and travel valid in accordance to the international law and in force for the applicant's spouse, cohabitant or equivalent form, and Original of the document issued by the competent authority in which the other parent, agrees to the exit of his minor child to reside in Mexico. In case of a child or teenager, whose guardianship is in charge of the applicant, document issued by the competent authority, in original and copy, or For the applicant's brother, the birth certificate of the applicant and the birth certificate of the foreign person for whom the visa is requested should be submitted in original and copy. The aforementioned as long as a foreign person for whom the visa is applied for is a child or a teenager that has not married or is of legal age but has incapacity and is under his/her legal representation, and
5	The foreigner applicant that has obtained the permanent residency for having been recognized the refugee condition and that requests the entering of his spouse, cohabitant, sons, consanguinity relatives up to the fourth degree, spouse or cohabitant's consanguineous relatives up to the second degree, he/she should submit original and copy of the document in which it is proved the recognition for derivation of the refugee condition for the relative, from the Mexican Commission of Aid to Refugees.

Validity of authorization:

- 30 business days counted from the following day to which the applicant is notified about the admissibility of the consular interview.

Resolution Criteria:

- It is considered as applicant a Mexican or foreign person holder of the condition of stay of temporary resident, of temporary resident student, or permanent resident that requests a visa for a foreign person with whom he proves to have a family relationship.
- Are considered cohabitants in accordance to the Federal Civil Code, people that live in common in a constant and permanent way free from marriage for a five years minimum period.
- It will also be recognized the capacity as cohabitant to the foreign person that does not accomplishes the term appointed in the previous paragraph, but that has children in common with the Mexican or foreigner residing in the country.
- In no case, the applicant could request a visa for more than one spouse or cohabitant even though if the legislation in other country allows it. The aforementioned with the exception when it is proved the dissolution or end of the previous relationship with documents issued before a competent authority proved before the Institute.
- The immigration authority could gather evidence that deems convenient to better decide.
- The immigration authority will deny the immigration procedure to applicants found in the situations of the Article 43 of the Law

Important:

- ✓ The authorization issued by the Institute will have a 30 business days validity counted from the date in which it is granted. At the end of that validity, the authorization losses effect and could not continue with the procedure.
- ✓ Mexican and foreigners holders of a condition of stay of temporary resident, temporary resident student or permanent resident in the country, have right to the family unit of their parents, minor sons, spouse, cohabitant or equivalent form, minor sons of the spouse, cohabitant or equivalent form, or minor brothers for the case of Mexican applicants or permanent residents, in accordance to the articles 52 subsection VII, 55 and 56 of the Law.
- ✓ The types of visa issued by family unit are as follows:
 1. Visa for permanent residency for the following Mexican relatives and foreigners holders of the condition of stay of permanent resident: a) parents, b) minor sons that are not married and are under his/her legal representation or that are of legal age but have incapacity and are under his/her legal representation, it also applies for the spouse's or cohabitant's sons, or equivalent figure, c) minor brothers that are not married and are under his/her legal representation; or of legal age that have incapacity and are under his/her legal representation.
 2. Visa for temporary residency for the following relatives of foreigners holders of a condition of stay of temporary resident or temporary resident student: a) parents, b) minor sons that are not married and are under his/her legal representation or that are of legal age but have incapacity and are under his/her legal representation, it also applies for the spouse's or cohabitant's or equivalent figure's sons, spouse, cohabitant or equivalent figure.
This visa also corresponds to the Mexican's spouse, cohabitant or equivalent figure or foreigner holder of a permanent residency.
- ✓ The foreigner should apply within the following 30 calendar days counted from his/her entry to the national territory, before the Institute's procedure office, the exchange of the FMM for the residency card that proves his/her legal stay will allow him/her to stay in national territory. In this procedure it will be necessary proof of payment of rights for the granting of immigration service to generate the issuance of the immigration document.