

REGULARIZATION BY EXPIRED DOCUMENT OR PERFORMING UNAUTHORIZED ACTIVITIES

Article 52. Procedure form for the regularization of immigration status in the modality by having expired document or performing unauthorized activities.

Applicable to: To the foreign person with irregular immigration status that has expired immigration document or that performs activities different to those authorized and so he/she no longer satisfies the requirements by which determined stay condition was granted.

Form for procedure presentation

Form to request procedure for immigration stay, fill out electronically through the website (www.inm.gob.mx), with the applicant's handwritten signature.

Requirements:

1	Original and copy of the passport, identity and travel document or official document issued by the authority of his/her country of origin, that contains at least, name of the foreign person, nationality, date of birth and photograph;
2	Proof of payment for the application's reception and study, where appropriate the regularization for the immigration status in terms of the immigration provisions the right will be paid according to the \$1,124.00 quota with basis on the Article 10 ^º . The visitor for humanitarian reasons is exempt for payment, in terms of the article 16.
3	FMM, visitor card or temporary resident card.
4	Proof of payment of fine that has been determined by the authority according to the provisions of the article 145 of the Law on Migration, except in one of the situations that said precept expressly indicates as exempt.
5	To present original and copy of the documents that prove any of the following situations:
	<p>a) Job offer:</p> <p>i. Offer in letterhead issued by an individual or entity formally established in national territory, in which it is stated the occupancy that the foreign person intends to perform, duration required, place of work and the data of the employer's proof of registration issued by the Institute.</p>
	<p>b) Economic solvency:</p> <p>i. Original and copy of proof of investment or bank accounts with average monthly balance equivalent to twenty thousand days of current general minimum wage in the Federal District during the last twelve months and in the case of visitors without permit to perform remunerated activities the average monthly balance should be equivalent to five hundred days of current general minimum wage in the Federal District during the last six months; or</p> <p>ii. Original and copy of the documents that demonstrate that he/she has a job or pension with monthly income free from encumbrances equivalent to four hundreds days of current general minimum wage in the Federal District and in the case of visitors without permit to perform remunerated activities the monthly income free from encumbrances should be equivalent to one hundred fifty days of current general minimum wage in the Federal District, both during the last six months.</p>
	<p>c) Letter of invitation:</p> <p>i. Letter from an organization or a public or private institution of renowned integrity that invites the foreign person to participate in any unpaid activity in national territory. The letter should contain the following data:</p> <ul style="list-style-type: none"> • Full applicant's name or interested party and nationality. • Organization's name or business name. • Registration number and organization's purpose or private institution. • Organization or institution's full address and contact details. • Information about the activity that the foreign person will perform or the project in which he/she will participate. The foreigner's activity should be related to the organization or institution's purpose that invites him/her. • Estimated time or approximate date of termination of the activity that will be performed. • The statement of several liability for the foreign person's support during his stay in Mexico and his/her return to his/her country of origin or residency. • Official identification with signature from whoever signs the letter of invitation. <p>ii. The solvency to assume the several liability from the private institution that makes the invitation should be prove through copy of the proof of investments or bank accounts with average monthly balance equivalent to twenty thousand days of current general minimum wage for the Federal District, during the last twelve months. The public institutions, educative or research institutions belonging to the National Education System or companies that transfer personnel to the head office, branch or subsidiary in Mexico, do not require to present economic solvency.</p>

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	<p>d) Real estate in national territory:</p> <p>i. Public deed in which it is stated that the foreign person owns real estates or that he/she acquires rights of trustee, with value equivalent to forty thousand days of current general minimum wage in the Federal District.</p>
	<p>e) Investor</p> <p>i. Mexican entity's deed or policy granted before notary public or document duly certified by the administrative body or competent officer, in which it is stated that the foreign person participates in the corporate capital of said Mexican entity, and that the investment amount effectively spend for the participation of the foreign person in the Mexican entity is equivalent to twenty thousand days of current general minimum wage in the Federal District, which could be proven, including but not limited to shares sales contract or equity interests, contract of transfer of goods or rights in favor of the Mexican entity or document issued by the latter that proves that the amount contributed as participation in the share capital;</p> <p>ii. Document that proves the ownership of movables in favor of the foreign entity, with value equivalent to twenty thousand days of current general minimum wage in the Federal District.</p> <p>iii. Documents that prove the development of economic or business activities in national territory, which could be proven, including but not limited to contracts, orders of service, invoices, receipts, business plans, licenses or permits and proof issued by the Mexican Social Security Institute that proves that the foreign person is employer of at least five workers.</p>
	<p>f) Student</p> <p>i. Acceptance letterhead from any institution belonging to the National Education System to take courses, studies or research projects or academic or professional studies in which it is indicated: the name of the foreign person, the level, degree and field of study in which he/she was accepted or performs his/her studies and start and completion dates of the course, as well as the identification of the educative institution. In case of visitors without permit to perform remunerated activities, the course, study, research project or academic or professional studies length can not be greater than 180 days.</p> <p>ii. To prove economic solvency with copy of proof of investments or bank accounts with average monthly balance equivalent to twenty thousand days of current general minimum wage in the Federal District during the last twelve months and in the case of visitors without permit to perform remunerated activities the average monthly balance should be equivalent to three hundred days of current general minimum wage in the Federal District during the last six months; or Copy of the documents that demonstrate that he/she has a pension or monthly income free from encumbrances equivalent to one hundred and fifty days of current general minimum wage in the Federal District and in the case of visitors without permit to perform remunerated activities the monthly income free from encumbrances should be equivalent to one hundred days of current general minimum wage in the Federal District.</p> <p>This requirement could be proven with documents issued on behalf of the interested party's parents or guardian, as long as he is younger than 25 years old, or with letter issued by the institution in which it is stated that the foreign person is scholar.</p>
	<p>g) Official letter of exit from the immigration detention center for regularization, original</p>

Validity of authorization:

- 180 days in case of visitors without permit to carry on with paid activities and visitors with permit to carry on paid activities.
- Up to 4 years for temporary resident.
- 1 year for student temporary resident.

Resolution Criteria:

- I. The stay conditions applicable to the regularization hypothesis are the following:
 - a) Temporary resident to the foreign person that proves any of the situations provided in the subsection a, b, c, d and e of the number 5 of the requirements section of this procedure form.
 - b) Temporary resident student to the foreign person that proves the situation provided in the subsection f of the number 5 of the requirements section of this procedure form.
 - c) Visitor with permit to perform remunerated activities to the foreign person that proves the situation provided in the subsection a of the number 5 of the requirements section of this procedure form.
 - d) Visitor without permit to perform remunerated activities to the foreign person that proves the situation provided in the subsection b and f of the number 5 of the requirements section of this procedure form.
- II. The foreign person that proves the situation provided in the subsection g, of the number 5 of the requirements section of this procedure form will be documented in the corresponding stay condition considering the requirements presented in the immigration station.
- III. In the diligence interview performed by the immigration authority to the foreign person interested, it will be determined the amount of the fine that he/she will get considering the elements provided in the article 73 of the LFPA (Federal Administrative Procedures Act) and the provisions of the article 146 of said law.
- IV. In the case of foreign people holder of the official letter of exit for regularization, the interview will not take place and the requirements will not be presented, except for the procedure application and the appointed in the numbers 1 and 5, subsection g of the requirements section of this procedure form, in the understanding that the other requirements will be proven in the immigration station.
- V. In case of positive resolution, the foreign person should present the corresponding requirements in terms of the article 33 of this guideline.
in case of negative a duly supported and warranted resolution should be issued, granting a term of up to thirty calendar days to the foreign person to leave the national territory. In no case, the mentioned term should be less to fifteen business days, to safeguard their rights to file an appeal for review.

Important:

- ✓ The foreign person that obtains authorization of the stay condition of temporary resident or as temporary resident student has the obligation to communicate the Institute any change of civil status, change of nationality for a different to the one used to enter, address or place of work. The communication should be made within the ninety days after said change takes place.
- ✓ In case of non-compliance to said obligation he/she will receive the penalties provided in the article 158 of the Law.
- ✓ The immigration status of a migrant will not prevent the exercise of his/her rights and liberties recognized in the Constitution, in the international treaties of which the Mexican state is part.
- ✓ The foreign person in case of positive resolution should present the corresponding requirements for the issuance of the immigration document for authorization of the stay condition in terms of the article 33 of these guidelines.