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Mexico's Stop Order for Non-Essential Business

4.2.2020

On March 31st, 2020, Mexico's Secretary of Health published a resolution in Mexico Official Gazette ordering the stop of all business activities in Mexico that are not deemed "essential".

To better understand the Secretary of Health's resolution it should be read in conjunction with previous orders issued in the past (i.e., March 20, 24, 27, and 30). Please review our previous Alert [here](#). In particular, it should be noted that the March 30th resolution declares a "sanitary emergency due to force majeure," which has significant payment implications for employers during the month of April.

The text of the resolution explicitly orders the immediate suspension of all non-essential activities from March 30, 2020, to April 30, 2020, for purposes of mitigating the spread and transmission of the SARS-CoV2 virus in the Mexican community. The following "**essential**" activities may continue to operate.

(Please note the following list is not an official translation but is our translation, for reference purposes)

1. Those that are directly necessary to attend the sanitary emergency, including medical personnel, paramedics, and the administrative personnel of the National System of Health. Also, those activities related to its supply and services, among which the pharmaceutical sector is expressly mentioned, both in its production as in its distribution (pharmacies); the manufacture of medical supplies, equipment, and technologies for health care; those involved in the proper disposal of infectious biological hazardous waste, as well as the cleaning and sanitizing medical units.
2. Those involved in public safety (i.e, police) and citizen protection, military, the procurement and impartation of justice, as well as legislative activity at the federal and state level;

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3. Fundamental sectors of the economy: financial, tax collection, energy distribution and sale, gas and gas stations, drinking water distribution, food industry, non-alcoholic beverages, food markets, convenience stores, sale of prepared foods, transport services (passenger and freight), agricultural, fishing and livestock production, agro-industry, chemical industry, cleaning products; hardware stores, courier services, guards in private security; nurseries and day-care centers for children, nursing homes and stays for the elderly, shelters, and care centers for women victims of violence, their daughters and sons; telecommunications and information media; private emergency services, funeral, and burial services, storage services, cold chain of essential supplies, logistics (airports, ports, and railways), **as well as activities whose suspension may have irreversible effects for its continuation.**
4. Those related to the operation of the government's social programs.
5. Those necessary for the conservation, maintenance, and repair of critical infrastructure that secures the production and distribution of indispensable services; (drinking water, energy, gas, petrol, gasoline, jet fuel, basic sanitation, public transportation, hospital, and medical infrastructure, among others that could be listed in this category).

The following rules shall be followed in workplaces where essential activities are performed:

1. No gatherings of more than 50 people are allowed.
2. A person shall wash their hands often.
3. When a person sneezes or coughs, they should cover their mouth and nose with a tissue or by using the inner elbow.
4. No greetings using hands or kisses (from a distance).
5. All other measures issued by the Secretary of Health.

Additionally, the resolution orders the following:

1. Mexico's population is encouraged, including those who arrive from other countries and who do not participate in essential work activities, to comply with "stay at home orders" from March 30 to April 30, 2020. Stay at home orders shall be interpreted as the voluntary limitation of mobility, staying in the private home or place other than public space, as long as possible.
2. Stay at home strictly applies to all persons over 60, pregnant women, persons diagnosed high blood pressure, diabetes mellitus, heart or lung disease, immunosuppression (either acquired or induced), kidney or liver failure, regardless of whether the work activity is considered essential. Essential public interest personnel may, on a voluntary basis, report to work.
3. Once the term mentioned in the order lapses (April 30th, 2020), the corresponding government agencies will issue guidelines for an orderly, staggered, and regionalized return to the labor, economic and social activities in Mexico.

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For assistance in properly following Mexico's work guidance, or if you have any specific questions you would like us to address, please contact Raul Rangel, Co-Chair of the Butzel Long Mexico Team and licensed in both New York and Mexico. We are here to assist you.

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