

New Mexican Entry Procedures

In March, 2012, Mexico's DGAC presented a draft for a new procedure for private aircraft. We provided them with a number of observations regarding potential issues, some of which were addressed and some of which remain. The following is a summary review of the law, the new procedure and our observations.

THE PERMITS: Mexico Civil Aviation Law allows a private aircraft to enter Mexico under either a Single-Entry (SE) or Multiple-Entry (ME) permit. A SE permit is good for 180 days or until the aircraft departs Mexico. The ME permit is valid until the end of the calendar year and an aircraft can enter and depart Mexico as many times during the year as desired with a ME permit. Both a SE and ME permit cost M\$ 702 PESOS.

THE OLD PROCEDURE: When a pilot requests a SE permit they only receive a receipt and a GHC-001 form. When a pilot requests a ME permit, they receive a 2-page letter (the permit), a receipt and a GHC-001 form. The GHC-001 form is the **ONLY** document that is recognized by the DGAC (civil aviation), Immigration and Customs. To be valid, the form must contain the stamps from these three federal agencies **PLUS** the receipt for payment of either the SE or ME permit in order to be valid. The 2-page ME letter has no validity with Immigration and Customs. The GHC-001 form captures the date of entry into Mexico of the aircraft and the date of expiration of the permit. The GHC-001 form gave the pilot/owner a legal document that proved that the airplane entered the country legally and showed the date until which the aircraft could legally remain in the country.

NEW PROCEDURE: The new procedure differs from the old procedure in two significant areas:

First, the procedure relies on the internet using the CASS (Civil Aviation Security System) which is owned and operated by Mexico's DGAC. Under this system, Immigration and Customs would have to agree and be dependent on the DGAC's CASS system to be able to verify the legal status of an aircraft. Initially, the procedure did not consider the possibility of internet or power interruption at an airport. We did not (and still don't) believe that leaving a pilot/owner without some form of documentation to prove their status in the event of a technical failure of the CASS system, or in the presence of authorities not familiar with the new procedure, was a good idea.

Second, the new procedure requires a much more elaborate and comprehensive form for requesting entry into Mexico that resembles more of a contract. We reviewed and edited an English version of this form but it is unclear what happened to the English version that we provided.

This system is in the process of implementation until December 31, 2012. There are a number of positive areas as well as a couple of points of caution:

- 1) There is a new DGAC form for requesting both a SE and ME permit. (SE permits did not require a request form in the past, only ME permits required one). The form requires the owner/pilot to make a number of declarations which state what a pilot should already know:
 - a. Aircraft need to comply with U.S. and Mexican aeronautical regulations while in Mexico.
 - b. Pilots must comply with immigration, customs and sanitation authorities and any other authority as required (likely to mean Federal Police and military)
 - c. Cannot take cargo or merchandise on board that is not personal property (no cargo for hire)
 - d. Must comply with Mexican National Security measures
 - e. Must bring on board the Entry Permit Form (this is a new form also) as well as the receipt for payment of the Entry Permit.
 - f. Understands that it is **STRICTLY FORBIDDEN** to conduct air charter operations with the use of a SE or ME permit.

- 2) There is a new form for both SE and ME permits. The new form is now 3 pages long. The text on this form essentially reiterates the obligations described above plus:
 - a. It clarifies once again that a “special” Mexican Insurance IS NOT required. It also clarifies that the pilot is expected to keep their insurance in effect while in Mexico and carry the policy on board at all times.
 - b. Cannot stay in the country for more than 6 months.
 - c. Aircraft **MUST** enter AND exit Mexico through an international airport.
 - d. Cannot use an airport/airstrip not authorized by the DGAC.
 - e. There are no boxes for DGAC, Immigration and Customs stamps, **HOWEVER**, we urge that you **AT LEAST** have the DGAC stamp this form. It is important for the pilot to have in their possession some record of when they entered Mexico and that all formalities were complied with.

- 3) The DGAC at each international airport is **REQUIRED** to receive the authorization from local Immigration and Customs officials to allow the CASS system to replace the GHC-001 form. Until this is completed, that airport will continue to use a GHC-001 form. Regardless, ensure that you receive the form from item 2 above and during the short term try and have Immigration and Customs stamp it, if possible.

SUMMARY: Essentially, the new process replaces the GHC-001 form with CASS, uses a new permit request form and creates a new SE and ME form which **MUST** be carried on board the aircraft along with the receipt for the permit. Our concern, during this transition period, is that pilots must have documentation to prove not only to the DGAC but also to Immigration and Customs that they have entered the country legally and have not over-stayed their limit. Therefore, for the next few months we recommend that when entering Mexico, have immigration

and customs stamp either your ARRIVAL REPORT or even better your entry permit form. You can expect that there will be varying levels of conformity across the country with regards to the new procedures.