

## REGULATORY CHANGES AND PROPOSED REGULATORY CHANGES

MARCH 2023 - APRIL 2023

Changes that took effect during the month of March 2023.

### **MARCH 11, 2023**

The NOM-001-SEMARNAT-2021 one of the 2 most important water usage Standards took full effect.

**The “NOM-001-SEMARNAT-2021, which establishes the permissible limits of pollutants in the discharges of wastewater into receiving bodies that are property of the nation”** was published March 11, 2022 and took full effect on March 11, 2023.

The Standard is mandatory for those responsible for discharges of wastewaters into any type of receiving body that is property of the Nation.

The Standard does not apply to discharges of water from drains designated exclusively for rainwater or to discharges that are discharged directly into municipal drainage and sewage systems.

This Standard cancelled **“NOM-001-SEMARNAT-1996 That establishes the maximum permissible limits of contaminants in the discharges of wastewaters into national waters and resources.”**

### **MARCH 14, 2023**

The Standard **“NOM-014-ASEA-2022, Specifications for environmental protection for the construction and maintenance of wells for the exploration and extraction of hydrocarbons in agricultural, livestock and uncultivated areas, outside of protected natural areas or forest lands”** was published in the DOF on September 15, 2022.

This Standard is of general and mandatory observance for those entities that carry out the construction and maintenance of wells for the exploration and extraction of hydrocarbons in agricultural areas, livestock and uncultivated, outside protected natural areas or forest land.

This Standard took full effect on March 14, 2023 and it cancels and replaces **“NOM-115-SEMARNAT-2003, that establishes the specifications of environmental protection that must be observed in the activities of drilling and maintenance of land oil wells for exploration and production in agricultural zones, livestock and untilled zones, outside of protected natural areas or forested lands.”**

## **MARCH 30, 2023 - PROPOSAL FOR REFORM OF ART 1. OF THE CONSTITUTION - PROHIBIT DISCRIMINATION FOR “GENDER EXPRESSION.”**

This proposal for a Constitutional reform of Article 1 was made by the members of the party “Grupo Parlamentario de Movimiento Ciudadano.” This reform would add the **highlighted** text to the last paragraph of Article 1 to remain as:

“All discrimination motivated by ethnic or national origin, gender, age, disabilities, social condition, health conditions, religion, opinions, sexual preferences, **gender expression**, marital status or any other that infringes on human dignity and that is intended to nullify or diminish the rights and liberties of persons is prohibited.”

## **SUMMARY OF CHANGES DURING APRIL 2023**

**APRIL 03, 2023** The Agreement by which are issued the Guidelines for the Integration, Organization and Operation of the Inter-Secretarial Commission of Technologies of Information and Communication and Safety of Information was published April 03, 2023 in the DOF.

**APRIL 04, 2023 - DECREE** declaring 2023 as the “**Year of Francisco Villa (Pancho Villa) the revolutionary of the people**” was published April 04, 2023 in the DOF.

**APRIL 04, 2023 - DECREE** by which is approved the “Agreement of Strategic Association between the United Mexican States and the Republic of Panama, signed in Mexico City, on July 23, 2021 was published April 04, 2023 in the DOF.

**APRIL 04, 2023 - DECREE** by which is approved the Convention of the International Organization of Aid to Maritime Navigation, made in Paris on January 27, 2021 was published April 04, 2023 in the DOF.

**APRIL 05, 2023 - DECREE** by which a second paragraph is added to Article 105 of the “**General Law for Preventing and Eradicating Crimes for Trafficking of Persons and for the Protection and Assistance to the Victims of these Crimes.**” was published April 05, 2023 in the DOF.

**Article 105...** “When the person reported is a girl, boy or adolescent, at the moment of presenting the formal criminal complaint before the appropriate authority and without any delay, additionally, the Amber Alert will be issued according to the National Amber Protocol of Mexico.” This was published April 05, 2023 in the DOF.

**APRIL 07, 2023**, The STPS (SECRETARY OF LABOR AND SOCIAL PROTECTION) published in the DOF on April 07, 2023 the:

**“REGULATION on the Public Communications referred to in Article 19.9 of the Labor Chapter of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (TIPAT) and Article 23.11 of the Labor Chapter of the Agreement between the United Mexican States, the United States of America and Canada (T - MEC).” (TRANSLATION AVAILABLE)**

(REGLAMENTO sobre las Comunicaciones Públicas a que se refieren los Artículos 19.9 del Capítulo Laboral del Tratado Integral y Progresista de Asociación Transpacífico (TIPAT) y el Artículo 23.11 del Capítulo Laboral del Tratado entre los Estados Unidos Mexicanos, los Estados Unidos de América y Canadá (T-MEC).)

(Trans-Pacific Partnership Agreement known as TPP or in Mexico as TIPAT)

(The United States-Mexico-Canada Agreement USMCA or known in Mexico as T-MEC)

#### **APRIL 10, 2023, PROPOSED OFFICIAL MEXICAN ENVIRONMENTAL HEALTH STANDARD**

The Project of Official Mexican Standard PROY-NOM-001-SSA-2023, Education in health - for the organization and function of medical residencies in establishments for medical attention. (PROY-NOM-001-SSA-2023, Educación en salud. Para la organización y funcionamiento de residencias médicas en establecimientos para la atención médica.) This Project was published for its 60 day comment period from interested parties.

This Official Mexican Standard has the object of regulating the organization and function of medical residencies that are carried out in establishments for medical attention of the health institutions that are constituted as a medical unit that receives residents. This Standard is of obligatory observance in the entire national territory for those responsible for the formation of human resources for the health of the medical units that receive residents, as well as those who intervene in the processes of selection, authorization, integration, updating, teaching, sponsorship and those who study medical specialties in medical units.

This was published April 10, 2023 in the DOF.

#### **APRIL 11, 2023 - PROPOSED LEGISLATIVE INITIATIVE - REFORM OF ART. 59 OF THE CONSTITUTION - REELECTION OF LEGISLATORS**

Initiative in the Cámara de Diputados by the Diputada Karla Ayala Villalobos, member of the PRI party proposes a reform to Article 59 of the Mexican Constitution to allow

the reelection of “Legislators.” There is no reelection for any office in Mexico. Diputados in the Camara de Diputados are elected for one 3 year term. It is important to note that the motto and motivation of the Mexican Revolution (1910 - 1917)

#### **APRIL 11, 2023 - PROPOSED OFFICIAL MEXICAN ENVIRONMENTAL HEALTH STANDARD**

The Project of Official Mexican Standard PROY-NOM-033-SSA-2023, Health education. Criteria for the use of medical care establishments as clinical fields for clinical cycles and undergraduate internship of the medical degree.

The purpose of this regulation is to establish the minimum criteria for the use of the establishments for medical care of the institutions of the National Health System as clinical fields for the realization of clinical cycles and undergraduate internship of the degree in medicine.

#### **APRIL 12, 2023 - PROPOSED OFFICIAL MEXICAN ENVIRONMENTAL STANDARD**

This Project was published in the DOF for its 60 day comment period from interested parties.

**Project of Official Mexican Standard PROY-NOM-172-SEMARNAT-2023, Guidelines for obtaining and the communication of the air quality index and risks to health.**

**(PROYECTO de Norma Oficial Mexicana PROY-NOM-172-SEMARNAT-2023, Lineamientos para la obtención y comunicación del índice de calidad del aire y riesgos a la salud)**

The purpose of the standard is to establish the guidelines for obtaining and the daily and hourly communication of the Air Quality Index and Risks to Health for the purpose of informing clearly, opportunely and continuously the state of the air quality, the probable damages to health that it causes and the measures that can be taken for reducing exposure.

#### **APRIL 12, 2023 - PROPOSED OFFICIAL MEXICAN STANDARD - DISABILITY AND HUMAN RIGHTS**

This Project was published in the DOF for its 60 day comment period from interested parties.

**Project of Official Mexican Standard PROY-NOM-039-SSA-2023, in matters of Certification of Disability.**

**(PROY-NOM-039-SSA-2023, en materia de Certificación de la Discapacidad.)**

The purpose of this Standard is to establish the criteria, processes and methodology for the certification of disability under the biopsychosocial integrative approach, aligned with the international treaties to which Mexico is a party in the field of human rights, and the International Classification of Functioning, of the Disability and Health, as well as the granting of the printing of the Electronic Certificate of Disability to the applicant.

**APRIL 13, 2023 - RESPONSES TO COMMENTS OF PROPOSED STANDARD** published in the DOF on April 13, 2023.

Responses to the comments received with respect to the ‘**Project of Official Mexican Standard PROY-NOM-015-SSA3-2018, For integral medical attention to persons with disability,**’ originally published on November 23, 2018 were published in the DOF on April 13, 2023 - the following step is to publish the definitive standard and it will then have legal effects.

**(Proyecto de Norma Oficial Mexicana PROY-NOM-015-SSA3-2018, Para la atención médica integral a personas con discapacidad.)**

**APRIL 20, 2023**

“**Promulgation Decree of the Interamerican Convention on the Protection of Human Rights of Adult Persons, adopted in Washington, D.C., United Mexican States, on June 15, 2015,**” was published in the DOF on April 20, 2023.

**(DECRETO Promulgatorio de la Convención Interamericana sobre la Protección de los Derechos Humanos de las Personas Mayores, adoptada en Washington D.C., Estados Unidos de América, el quince de junio de dos mil quince.)**

The object of the Convention is to promote, protect and ensure the recognition and full enjoyment and exercise, under conditions of equality all the human rights and liberties of the older person, for the purpose of contributing to their full inclusion, integration and participation in society.

**APRIL 21, 2023 - PROPOSED OFFICIAL MEXICAN STANDARD PROY-016-ASEA-2023,** Specifications for Industrial Safety, Operational Safety and environmental protection that must be observed for Seismic Surveys carried out in agricultural, livestock and wasteland areas (Cancels and replaces the NOM-116-SEMARNAT-2005, which establishes the environmental protection specifications for terrestrial seismological prospecting carried out in agricultural, livestock and wasteland areas).

(PROYECTO de Norma Oficial Mexicana PROY-NOM-016-ASEA-2023, Especificaciones de Seguridad Industrial, Seguridad Operativa y protección al medio ambiente que deben observarse para las Prospecciones Sísmicas que se realicen en zonas agrícolas, ganaderas y eriales (Cancela y sustituye a la NOM-116-SEMARNAT-2005, Que establece las especificaciones de protección ambiental para prospecciones sismológicas terrestres que se realicen en zonas agrícolas, ganaderas y eriales).)

**APRIL 25, 2023 - SOCIAL SECURITY REFORM** - A reform was published to the Law of Social Security Article 207 that establishes new programs for pregnant and postnatal mothers that require Hygienic, maternal and child, health and first aid education; nutritional support for pregnant female workers during pregnancy and their daughters and sons in the neonatal period through reinforcement and the corresponding nutritional follow-up; prevention of illnesses and accidents;

**APRIL 25, 2023 - AGRARIAN LAW REFORM** - 2 reforms were published in the DOF on April 25, 2023 to Articles 4, 32 and 37.