

Miguel Pelaez Lira, Managing Director of Civil Aeronautics, pursuant to the provisions of article 1, paragraph one, article 2, section I, article 14, paragraph one, articles 16, 26, 36, sections V, and XXVII of the Organic Law on Federal Public Administration; article 3 paragraph one, section XIII, and article 49 of the Law on General Communication Routes; articles 1, 6, sections III, XVI, and last paragraph, and article 17 of the Civil Aviation Law; articles 1, 2 sections II and VI, article 6 sections IV, XI, and XII, and article 53 paragraph one of the Airports Law; article 54 paragraph one, articles 55, 57, 93, 94, 95, 96, 97, 98, 99, 100, 101, and 103 of the Regulations of the Airports Law, and article 2 section XVI, article 10 section XXIV, and article 21, sections I, II y IV of the Interior Regulation of the Department of Communication and Transportation, and

## **W H E R E A S**

1. In airports there is the obligation to provide airport and complimentary services in a general and indiscriminate manner to the air carriers and operators, with the adequate facilities and services for the receipt and dispatch of aircraft, passengers, cargo, and mail, pursuant to article 2, sections II and VI of the Airports Law.
2. The airport services are provided to all the requesting users in a permanent, uniform, and regular manner, under nondiscriminatory conditions with regard to quality, opportunity, and price, pursuant to the shift and time priorities set in the airport's operation rules pursuant to the criteria indicated by the Department of Communications and Transportation (SCT) through the Office of Civil Aeronautics (DGAC), pursuant to article 53 of the Airports Law.
3. The landing and takeoff time are assigned by the airport administrator to an air carrier or operator for organization and planning of flights at the airport, pursuant to article 93 of the Regulations of the Airports Law.
4. In airports, the airport administrator sets the landing and takeoff times, as well as the shift priorities for the aircraft, under equitable, nondiscriminatory conditions and considers the recommendations of the Operation and Times Committee, pursuant to article 63 of the Airports Law.
5. The Operation and Times Committee, as a collegiate body, is made up of the airport concessionaire via the airport administrator, the airport commander, and by the other civil and military authorities that are involved in it, as well as the representatives of concessionaires and permit holders of air transportation and airport service providers, it issues recommendations with regard to the assignment of times pursuant to articles 61 and 62 of the Airports Law.

6. The Operation and Times Committee has a collegiate body called the Delays Subcommittee, which determines the causes that lead to the delays or cancellations and if they are attributable to the air carriers and operators, pursuant to the provisions of article 97 of the Regulations of the Airports Law.
7. Compliance with the assigned landing and takeoff times, regardless of each route and type of aircraft, allows for an operations chain with separation times between takeoffs and landings that guarantee safety. This compliance allows for coordination with other airports and programming of the rest of the services necessary to complete an air transport operation (boarding areas, baggage handling, supply of fuel and expendables, mechanical review, etc.).
8. Certainty in the assignment of landing and takeoff times is a desirable condition for the air carriers to plan the obtainment of landing and takeoff times in other airports, as well as to carry out and plan fleet investments, new air routes, and facilities to improve their service (such as service counters, automatic checking, among others), and maintenance bases.
9. The general fundamentals for assignment of landing and takeoff times are in line with international practice and in accordance with national aeronautics standards.
10. That at airports in conditions of saturation, due to the fact that availability of landing and takeoff times is necessarily less than that at airports without of these conditions, there is a naturally a lesser availability both for the concessionaire and for the air carriers that operate at that airport with respect to the assignment of times, therefore it is necessary to set regulatory fundamentals and incentives for the airport infrastructure to be used in the most efficient manner possible, to guarantee the safe, efficient, competitive, and nondiscriminatory provision of airport services.
11. That constant changes to assigned landing and takeoff time and cancellations of them during the operational seasons in airports and conditions of saturation may affect planning of the concessionaires' and air carriers' operations, as well as coordination with other airports.
12. That it is the authority of the SCT, through the DGAC, to determine the saturation of airports, pursuant to article 99 of the Regulations of the Airports Law, therefore on September 29, 2014, it published in the Official Gazette of the Federation the declaration of saturation of the "Benito Juárez" Mexico City International Airport.

13. The SCT, through the DGAC, is the airport authority, which has, among other responsibilities, the responsibility to set the general fundamentals for setting landing and takeoff times at airports, pursuant to article 3 of the Law on General Transportation Routes and article 6 of the Airports Law, therefore it has cordially issued the following:

## **GENERAL FUNDAMENTS FOR ASSIGNMENT OF LANDING AND TAKEOFF TIMES AT AIRPORTS IN CONDITIONS OF SATURATION**

### **ONE. PURPOSE**

The purpose of these Fundaments is to set the criteria of a general nature that must be applied by airport concessionaires, through their airport administrators, the Operation and Times Committee, the Delays Subcommittee, the Office of Civil Aeronautics, the body or agency providing the services to air navigation, and the times coordinator in airports in conditions of saturation, to carry out the assignment of landing and takeoff times in an impartial, transparent, and nondiscriminatory manner to air carriers, as well as supervision, evaluation, and rating of occupation of times assigned to the air carriers, in order to achieve optimal efficiency in the use of airport infrastructure, in order to increase to the maximum the benefits for the greatest possible quantity of airport users, guaranteeing the continuity of air operations.

These Fundaments are mandatory for the airport concessionaires, as well as for the air carriers and operators, they shall be applied exclusively in airports and conditions of saturation in the times subject to the saturation declarations in the airfield. Additionally, these Fundaments shall be applicable to the rest of the times, only with regard to the request, assignment, and supervision for a series of landing and takeoff times.

### **TWO. DEFINITIONS**

For the purposes of these Fundaments the following mean:

- I. Airport administrator: person designated by the concessionaire of an airport, that shall have under their supervision the coordination of administration and operation activities that are done with in it, pursuant to article 2, section VII, of the Airports Law. The airport administrator must provide oversight so that the adequate coordination parameters are agreed to with the parties involved and so that these parameters are updated twice each year;

- II. Airport in conditions of saturation: airport for which the Department has issued a declaration of saturation in the airfield pursuant to article 100 of the Regulations of the Airports Law;
- III. Analysis of demand and capacity: the process of evaluating the demand of air carriers and determining the maximum capacity of the airport, taking into account all the physical, operational, and environmental limits present in the airport and the demand, based on generally recognized methods. In particular, the capacity and the demand must be evaluated when there are significant changes in the infrastructure, the operational practices, or the demand patterns of the airports;
- IV. Airport operation capacity: maximum number of operations per hour that it can attend to in its airfield facilities, that is, runways, taxiways, and platforms, as well as, based on the maximum number of passengers per hour that can be attended to in the terminal building. The above pursuant to service standards that the Department determines in the respective concession or permit, pursuant to article 94 of the Regulations of the Airports Law;
- V. Calendar of coordination activities (or Calendar): the events and deadlines by which the assignment procedure for landing and takeoff times is governed in an airport in conditions of saturation for each season;
- VI. Ad hoc change: a change in a series of times that it does not affect the eligibility for the historical right;
- VII. Transfer of times: a process by which the times assigned are transferred from one air carrier to another;
- VIII. Operation and Times committee: the committee formed pursuant to article 61 of the Airports Law, whose principal duty is to issue recommendations to the airport administrator and to the times coordinator in the assignment of landing and takeoff times and the supervision of their utilization in the airport;
- IX. Airport concessionaire: commercial corporation formed pursuant to Mexican laws, which has a concession granted by the Department, pursuant to article 10 of the Airports Law;
- X. Initial coordination: the process that takes place between the deadline for sending initial requests and the deadline for sending the list of initial time assignments for each season, through which the airport administrator assigns landing and takeoff times based on the information provided by the times coordinator;
- XI. Times coordinator (or Coordinator): shall be that designated by the Office of Civil Aeronautics, which is a functionally and technically independent of any individual party involved, whose function is to supervise the occupation of the times assigned to the air carriers in an impartial, transparent, and nondiscriminatory manner, based on the coordination parameters defined and pursuant to the criteria herein; additionally, it is in charge of evaluating and qualifying the use of the times assigned to the air carriers based on

information from the assigned times, the flight schedules or commercial itineraries of the air carriers, the air traffic information that is provided by the body or agency providing the services to air navigation, the information on the arrival and/or departure statements pursuant to article 104 of the Regulations of the Airports Law, on arrival or departure operations of the flights registered by the airport administrator and the information on the times that correspond to the operations authorized by the Office of Civil Aeronautics, pursuant to article 21 of the Regulations of the Civil Aviation Law, as well as the resolutions of the airport's Delays Subcommittee. To be able to be appointed as such, they must have demonstrable knowledge and experience with scheduling and time coordination and have sufficient time, resources, and experience to provide the facilitation services pursuant to these Fundamentals;

- XII. Delay: landing or takeoff operation done fifteen minutes after or before the landing or takeoff time assigned by the airport administrator based on the resolution issued by the Delays Subcommittee;
- XIII. Date of Reference for Historical Landing and Takeoff Times: the date of reference used for calculating 85% occupation to determine historical priority, which is January 31 (summer) and August 31 (winter);
- XIV. Deadline to Return Landing and Takeoff Times: the date before which air carriers must return the series of times that they do not plan on operating, which is January 15 (summer) and August 15 (winter);
- XV. Deadline for Sending the List of Historical Landing and Takeoff Times: the deadline stipulated in the Calendar of coordination activities, before which the times coordinator must deliver to all the air providers the details of their historical times, this being the third Monday of September (summer) and the third Monday of April (winter);
- XVI. Deadline for Agreement of Historical Landing and Takeoff Times: the deadline is stipulated in the Calendar of coordination activities, for which the air carriers must state any disagreement with the determination of historical times by the times coordinator. This date is 7 days before the deadline for sending initial requests;
- XVII. Deadline for Sending Initial Requests: deadline (23:59 UTC), stipulated in the Calendar of coordination activities, for which the air carriers must send their planned operations to the times coordinator;
- XVIII. Deadline for Sending the List of Initial Assignments of Landing and Takeoff Times: the deadline, stipulated in the Calendar of coordination activities, before which the times coordinator

- must distribute the results of the initial coordination to all of the air carriers;
- XIX. Reserve fund: the times available at airports and conditions of saturation after assigning the historical times and the changes in these times, including any new time created and returned;
- XX. Ad Hoc time: a time that may not opt for historical priority.
- XXI. Landing and Takeoff Time (Slot): the landing and takeoff time assigned by the airport administrator, based on the proposal of the times coordinator, to air carriers to use all the airport infrastructure necessary on a specific date and time, pursuant to article 93 of the Regulations of the Airports Law;
- XXII. Historical Time: the Landing or Takeoff Time that is assigned to each Air Carrier based on Historical Priority. The Historical Priority criteria shall be applied to a series of times that has been occupied or used at least in a proportion equal to or greater than 85%, of the total times that made up a part of the series in the previous equivalent Season, pursuant to the calculation criteria for series and rating, as well as pursuant to the undue use criteria provided in these Fundaments;
- XXIII. Airport infrastructure: necessary facilities, according to the airport's classification and category, which gather the necessary technical and operational requirements to guarantee safety and efficient operation of the airport and aircraft, such as: runways, taxiways, platforms, buildings, and hangers, visual aids, radio aids, communication system, perimeter paths, and access, perimeter fence or enclosure, general illumination, roadways, signals, facilities for fuel storage, parking for automobiles, and public-service ground transportation, facilities destined toward authorities assigned to the airfield, and services to air navigation, as well as the signals of critical areas to protect the proper functioning of the radio aids, facilities destined toward the rescue corps and fire extinguishing, safety bands, emergency electrical plants, drainage, and substations, pumps, sewage treatment plants, incineration equipment, and equipment for handling garbage, among others; pursuant to the provisions of article 30 of the Regulations of the Airports Law;
- XXIV. Time exchange: process by which the times assigned are exchanged individually (one for another) between air carriers into the same airport;
- XXV. New entry: an air carrier that requests a series of times at an airport on any day where, if the air carrier's request is accepted, it would have less than 5 times at that airport and that day;
- XXVI. Joint operation: a generic term that makes reference to different types of operational or commercial agreements between two or more air carriers. A joint operation implies that the landing and takeoff times

of an air carrier are used by another air carrier. The joint operation must be made known to the airport administrator and represent a benefit for the airport operation such as utilization of a time that will not be occupied by whom it was originally assigned to;

- XXVII. Air carrier: is the owner or holder of a State aircraft, of an aircraft considered in article 5, section II, letter a, of the Civil Aviation Law, as well as of non-commercial private air transportation, Mexican or foreign, pursuant to article 2, section III, of the Regulations of the Airports Law, and article 2, section VI, of the Regulations of the Civil Aviation Law;
- XXVIII. Time assignment period: the period, prior to the beginning of each season, in which the airport administrator attends to the requests for assignment of season landing and takeoff times, pursuant to the procedure provided for herein;
- XXIX. Historical priority: the principle by which air carriers have the right to receive in a preferential manner over any other carrier a series of times that they have operated at least 85% of the time during the period assigned in the equivalent of previous season and have not had a delays of approximately 15 minutes with regard to the time assigned on more than 15% of the occasions;
- XXX. Department: Department of Communications and Transportation;
- XXXI. Series of Times: at least five landing and takeoff times requested for the same time and on the same day of the week, distributed regularly in the same season, and assigned in this way, or if this way is not possible, assigned to the same approximate time;
- XXXII. Supervision of Landing and Takeoff Times, an analysis done by the times coordinator to measure the operational yield of the air carriers, compared with the times assigned to them;
- XXXIII. Season: the summer season that begins on the last Sunday of March, or the winter season that begins on the last Sunday of October;
- XXXIV. Equivalent seasons: consecutive summer seasons (two summers) or consecutive winter seasons (two winters) as opposed to two consecutive seasons (one summer season and another winter);
- XXXV. Air carrier: the holder of a concession or permit to provide regular, non-regular, and private commercial air transportation services, pursuant to article 2, section II, of the Civil Aviation Law;
- XXXVI. UTC: Coordinated Universal Time, also known as Z or GMT. All the times, including the historical priority times, are stated in UTC, unless the procedures agreed to allow use of the local time;

XXXVII. Extra section flight: additional public-service flight for regular national or international air transportation to operate an authorized route, without variation on the current itinerary, with the authorized equipment that it has available and with application of the rate registered for the corresponding route, pursuant to articles 23 and 29 of the Regulations of the Civil Aviation Law.

### **THREE. OPERATIONS PROHIBITED IN THE SATURATED TIMES**

For all of the times declared as saturated, it is prohibited for the airport administrator to assign landing and takeoff times for operations by the following aircraft:

- I. Private service with XB Registration, that is civil Mexican aircraft of private service, pursuant to article 44 of the Civil Aviation Law.
- II. State with XC Registration, that is, State aircraft, other than military and national security aircraft, pursuant to article 44 of the Civil Aviation Law;
- III. Foreign with the following characteristics:
  - a) International private flights;
  - b) International corporate flights;
  - c) International demonstration flights;
  - d) Transfer flights for internment and importation to the country; and
  - e) Air taxi- for the modality of operations at the user's demand.
- IV. Operations by the Presidential General Staff, those indispensable to safeguard national security, as well as those destined toward the exclusive service of air ambulance, emergency services, and those carried out by rotating wing aircraft are excluded from the prohibition.
- V. In no case and under no circumstance shall the airport administrator assign times for positioning or transfer flights within the timeslots declared as saturated by the Department.
- VI. The airport administrator shall provide immediate notice to the airport commander when they warn that an air carrier or operator has done one of the prohibited operations in saturated times so that the corresponding sanction may proceed, including those provided for in articles 86 Bis, 87, sections IV and XII, of the Civil Aviation Law.

### **FOUR. GENERAL PRINCIPLES FOR THE ASSIGNMENT OF LANDING AND TAKEOFF TIMES**

The airport administrator, listening to the recommendations by the operations and times committee and pursuant to reports issued by the times coordinator and by the Delays Subcommittee pursuant to Fundament Eleven, shall assign the landing and takeoff times only to those air carriers that request them each season in order to organize and plan the flights at the airport, as well as to make efficient use

of the operation capacity for all the restricted components of airport infrastructure, such as runways, taxiways, aircraft parking zones, gates, terminal capacity, and environmental limitations.

The airport administrator shall assign the landing and takeoff times according to the declared operation capacity at the airport; the amount of assigned landing and takeoff times must not exceed the airport's operations capacity per hour.

For the purposes of assignment, the following regulatory principles shall be followed:

- I. The airport administrator shall assign the landing and takeoff times according to the provisions of article 95, section I, letter a, of the Regulations of the Airports Law:
  - a) Regular passenger;
  - b) Non-regular air transportation under the passenger charter modality;
  - c) Regular cargo; and
  - d) Non-regular air transportation under the cargo charter modality.
- II. The airport administrator shall prioritize the assignment according to the following:
  - a) To the air carrier that occupied them in the previous equivalent season (historical priority), provided that it has met the occupation requirements defined in Fundament Five;
  - b) To the air carrier that requested changes to the times with historic priority; and
  - c) To the air carrier that requested and used the times under an ad hoc regimen and that formed a series at the end of the previous equivalent season, provided that it has met the occupation requirements defined in Fundament Five.
- III. After assigning the landing and takeoff times indicated in section II herein, the airport administrator shall set up a reserve fund that shall include any new time created, which shall be assigned to air carriers that request it according to the following:
  - a) 50% to the air carriers that request them having less than 5 times at that airport and on that day (New Entries), unless these requests are less than 50%; and
  - b) The remaining 50% shall be assigned to air carriers that already operate at the airport and that have requested them.

The landing and takeoff times in the reserve fund shall be assigned pursuant to the following priority principles:

    1. To the air carrier that provides regular passenger service, as well as non-regular under the passenger charter modality, with respect to regular cargo and non-regular charter; and

2. The broadening of an existing operation to operate during the entire year on the requests for new times.
- IV. The Air Operators may only obtain ad hoc times pursuant to the provisions herein;
- V. No air carrier or operator may carry out landing and takeoff operations without previously having been assigned a time pursuant to these Fundamentals and having authorization from the Office of Civil Aeronautics, pursuant to articles 103 of the Regulations of the Airports Law. Emergency landing operations, cases of force majeure, and those provided for herein shall be excluded from the provisions of the above paragraph. When the airport administrator or the times coordinator notice that an air carrier or operator has carried out a landing or takeoff operation without having an assigned time, they must immediately provide notice to the airport commander so that the corresponding sanction may proceed, including that provided for in article 87, section XII, of the Civil Aviation Law.
- VI. The air carriers and operators must not intentionally operate services at a time different from or use the times assigned in a way different from that assigned by the airport administrator;
- VII. The landing and takeoff times may be transferred or exchanged among air carriers, provided that both are current in the payment of the services indicated in article 96 of the Regulations of the Airports Law; the time in question having been used for at least one year by the original carrier, and notifying the airport administrator of the operation, specifying the time in question, pursuant to article 98 of the Regulations of the Airports Law and subject to the provisions found herein;
- VIII. The landing and takeoff times that do not have a specific route, aircraft, or flight number, the air carrier that they are assigned to may change them from one route or type of service to another, after notification to the airport administrator.
- IX. The determination of times occupation shall be based on the touchdown (arrivals) and takeoff (departures) times; all of the activities related with the times, including the determination of historical times, shall be stated in UTC, unless an agreement is made to the contrary.

## **FIVE. OCCUPATION CRITERIA AND ELIGIBILITY FOR RIGHT OF HISTORICAL PREFERENCE**

Historical priority for a series of times shall be identified by the times coordinator, when the air carrier to which it has been assigned occupied it on 85% or more of the occasions and had delays, for reasons attributable to the Air Carriers

pursuant to the resolutions of the Delays Subcommittee, on 15% or less of the occasions.

The times coordinator must provide in a punctual manner information to the air carriers about the flights that may not meet the 85% minimum use and punctuality requirement during the season, to allow the air carrier to take the timely measures.

For the purposes of accounting for these occupation percentages, the following must be considered:

- I. For a new series of times assigned after the sending deadline for the list of initial assignments of landing and takeoff times, the number of times in the series and the date of the first assignment shall be used as a basis to calculate the occupation.
- II. If the operation period for a series of times is broadened after the sending deadline for the list of initial assignments of landing and takeoff times, the air carrier may choose the historical priority for the broadened operation period, subject to the occupation requirement of the broadened series.
- III. The ad hoc times assigned to air carriers during the season for commercial operations may not opt for the right of historical preference, unless they have been requested as a series before the beginning of the season, or have been assigned as ad hoc during the season and are part of a series at the end of it; provided that the occupation requirements set herein are complied with.
- IV. If an air carrier has more than one series of times at the same time with identical or superimposed operation periods, the utilization of each series shall be calculated individually.
- V. If a flight operates on more than one day of the week, each day of the week shall be considered as an individual series of times.
- VI. The changes of the time assigned by the coordinator for a part of a series of times shall not affect the eligibility for historical priority, provided that the occupation requirement of 85% is met during the entire operational period of the service.
- VII. The ad hoc modifications not related to the time in a series of times (for example, type of aircraft, flight number, route, or type of service) shall not affect the eligibility for historical priority. The occupation of 85% is calculated during the entire operational period of the service; provided that section VIII of Fundament Four are taken into account.
- VIII. The air carriers must notify the airport administrator of the modifications of aircraft type, flight number, route, or type of service, nonetheless, this shall not affect the eligibility to exercise priority over the times, taking into consideration the provisions of section VIII of Guideline Four.

- IX. In the event that an air carrier is subject to insolvency, it shall not be exempt from compliance with the occupation and undue use criteria provided for herein.
- X. The occupation and delay percentages for a series of times that have been transferred, exchanged, or operated in a joint manner shall be evaluated pursuant to Fundament Fifteen.

#### **SIX. INITIAL ASSIGNMENT PROCEDURE FOR LANDING AND TAKEOFF TIMES**

Only during the two seasons immediately following the implementation of the saturation declaration at an airport or, in the cases in which there is already this declaration, only during the two seasons immediately following the implementation of these Fundaments for an airport previously declared as saturated, as applicable, the times coordinator, or the airport administrator in the event that the times coordinator has not been designated at the time in which the assignment period for the season times begins, must identify the historical landing and takeoff terms pursuant to occupation criteria that, if applicable, have been provided for in the current standards in the immediately previous season.

The airport administrator must carry out the procedure for assignment of times pursuant to criteria and priorities provided for in Fundament Seven.

#### **SEVEN. ASSIGNMENT PROCEDURE FOR SEASON LANDING AND TAKEOFF TIMES**

The times coordinator shall deliver to the airport administrator and to each air carrier the details of their historical times for review and analysis, after the sending deadline for the list of historical landing and takeoff times.

The air carriers must review the information sent and if they are not in agreement with the determination of historical times, they must get in touch with the times coordinator as soon as possible to resolve the differences before the agreement deadline for agreement on historical landing and takeoff times. The times coordinator shall be the one who attends to the differences and informs the airport administrator of what is resolved with each air carrier about their historical times.

The initial requests for historical season times by air carriers must be done based on series of times and presented before 23:59 UTC on the sending deadline for initial requests stipulated in the Calendar of coordination activities. When presenting their request, the air carriers must use the message forms

specified by the airport administrator and, if applicable, indicate priority over the time.

The air carriers shall make their requests according to the calendar provided for in Fundament Twenty and using the message forms established for requesting landing and takeoff times.

The times request must contain, at least, the following information:

- a) The date on which the request is presented; and
- b) The specific day and time for each operation that it plans on carrying out;
- c) If it is a landing and takeoff operation;
- d) The route;
- e) The flight number;
- f) The aircraft characteristics that it intends to use in the operation; and
- g) For new times, it must also be indicated if what is being requested is a series of times and/or individual times to complete a series in that capacity. The airport administrator shall not consider requests that do not contain the indicated information.

The airport administrator must verify that the times requested in series by the Air Carriers effectively adhere to the definition of a Series of Times provided for in Fundament Two.

The air carriers that do not present their request to the airport administrator on time and correctly invoking priority shall not be assigned landing and takeoff times over which they have that priority in accordance with their occupation.

The airport administrator shall assign the landing and takeoff times according to the available operation capacity, based on the initial request (by season) by the air carriers, according to the following:

- I. The series of times over which the air carriers have historical priority or are formed at the end of the season according to the provisions of Fundament Five and correspond with what is reported by the times coordinator;
- II. The series of landing and takeoff times requested by air carriers in exchange for series of times over which they have historical priority and which are done according to the following:
  - a) The number of times that form the series or, if applicable, the series over which it has historical priority and that are planned on being changed must be equal to or less than the number of times found in the series that are planned on being obtained through the change;
  - b) The change is subject to availability of the times that are requested;
  - c) They may only be done with regard to times that correspond to times subject to saturation in the airfield; and,

- d) In the event that there are two change requests in a single time and/or series, this shall be assigned taking into consideration the following criteria:
  - 1. The air carrier that meets the occupation criteria provided for in Fundament Five;
  - 2. The time requests that have the purpose of prolonging an existing operation to form an operation for the entire year; and
  - 3. The effective period of operation for the time that is planned on being obtained through the change; that is, the air carrier that requests assignment of a time to schedule and operate flights during a greater operation period in the same season.
- III. The reserve fund times shall be assigned pursuant to the provisions of Fundament Four. The airport administrator must verify if the air carrier effectively qualifies as a New Entry pursuant to Fundament Seventeen; and
- IV. The times coordinator must inform each air carrier of the results of the initial coordination, sending the list of initial assignments of landing and takeoff times no later than 23:59 UTC on the deadline for its sending as set in the coordination activities Calendar. This list must be sent at the same time to all air carriers that have requested times at the airport.

#### **EIGHT. ASSIGNMENT PROCEDURES FOR AD HOC LANDING AND TAKEOFF TIMES**

The airport administrator, always with the support of the times coordinator, must process all of the additional time requests of the air carriers, but they must give priority to the requests for series of times. These times shall be assigned pursuant to the provisions of article 96 of the Regulations of the Airports Law, and Fundament Four, which shall be considered as ad hoc times.

Times available on account of not having been assigned during the times assignment period, as well as times that have been returned or renounced by the air carriers may be assigned as ad hoc times after the assignment period for season times has concluded pursuant to the Calendar provided for in Fundament Twenty and the provisions of Fundament Thirteen, as well as when they are canceled by the air carriers as set in Fundament Fourteen.

The series of landing and takeoff times formed at the end of the previous equivalent season, by the air carrier that requested them and occupied as ad hoc times shall have historical priority, provided that they have met the occupation and punctuality requirements set in Fundament Fifteen.

The airport administrator shall assign the ad hoc times, giving priority to the flights in the order provided for in article 95, section I, letter a, of the Regulations of the Airports Law:

- I. Passenger regulars;
- II. Non-regular air transportation under the passenger charter modality;
- III. Cargo regulars; and
- IV. Non-regular air transportation under the cargo charter modality.

In the event that two or more requests for assignment of ad hoc times are received for the same time for flights of the same type, priority shall be given to the requests for series of flights and if applicable shall be assigned pursuant to the order of presentation.

The airport administrator must publish on the Internet page that has been set up for the concessionaire of the corresponding airport, the current list of all of the ad hoc times that are available to be assigned during the season, the information must be updated in a timely manner each time there is a new additional time available, or each time there is an ad hoc time available and each time that it is assigned.

The air carriers must request from the airport administrator the landing and takeoff times for the additional services planned on the same day as the operation, it being the responsibility of the air carrier to receive confirmation of their assignment before operating.

The air carriers must notify the airport administrator of any change of equipment on the same day or the operational variations regarding their assigned landing and takeoff times, and they must only request assignment of a new time when there are significant operational variations that affect the following days.

The Air Operators may only obtain ad hoc times that have not been requested by the carriers, provided that it is not a prohibited operation pursuant to Fundament Three.

## **NINE. ADDITIONAL CONSIDERATIONS FOR THE ASSIGNMENT OF LANDING AND TAKEOFF TIMES**

To achieve optimal utilization of the capacity available when assigning the times, the times coordinator may consider the following:

- I. Operational factors for which the air carriers may not operate at the assigned landing and takeoff times, such as adverse weather conditions, winds, and air traffic control, or technical problems, may cause variations in the flight times;

- II. Change in the arrival of a flight at the beginning of a season that has begun its operation in the previous season, which must be assigned as requested in the new season; and
- I. When there are differences of less than 5 weeks on the start and end dates of daylight-saving time, at the beginning or the end of the season, consider the following guidelines:
  - a) The times coordinator must set up the way in which the air carrier must send its request for times, before the sending deadline for initial requests;
  - b) Historical priority must be applied to the entire operational period of the service. The historical time shall be the time respected during the majority of the season. Changes of time in these periods must be dealt with as ad hoc changes and must not affect eligibility for historical priority;
  - c) Calculation of the 85% occupation must be applied to the entire period of service operation, including the operations during the seasons;
  - d) The ad hoc time changes for periods of 7 days or less must be assigned as they have been requested, when feasible, and must be confirmed by the times coordinator as soon as possible; and
  - e) The changes of ad hoc times for periods of 8 days or more also must be assigned by the airport administrator no later than 5 business days from the date of reference for historical times.

## **TEN. THE TIMES COORDINATOR**

The airport shall have a times coordinator that shall assist the airport administrator with the duties for assignment of landing and takeoff times, as well as with the supervision, evaluation, and rating of their occupation pursuant to Fundamentals Five, Eleven, Twelve, and Sixteen,

The times coordinator must have the sufficient time and experience to provide the facilitation services pursuant to these Fundamentals.

The times coordinator shall be an authority functionally and technically independent of the airport administrator and the members of the operation and times committee, among them the air carriers. The times coordinator shall be designated by the Office of the Civil Aeronautics.

The times coordinator must act in an impartial, transparent, and nondiscriminatory manner in the performance of their duties and adhering to the international standards for airport coordinators to the degree that they do not go counter to the provisions of the Airports Law, the Civil Aviation Law, the Regulations of the Airports Law, the Regulations of the Civil Aviation Law, and those herein.

The times coordinator must make available to the air carriers detailed information about the applicable coordination parameters and the lists of assigned times, the remaining available times, and the reasons for which the times were not assigned as it was requested according to Fundament Eighteen.

The times coordinator must supervise the cancellations made after the assignment of the historical times and any non-utilization of them, as well as a supervise the occupation of times planned and real to identify the possible cases of intentional undue use.

#### **ELEVEN. SUPERVISION, EVALUATION, AND RATING OF THE OCCUPATION OF LANDING AND TAKEOFF TIMES**

The times coordinator shall supervise, evaluate, and rate occupation and compliance with the assigned times and shall take into account the definitive resolution issued by the Delays Subcommittee on a noncompliance with the time assigned to air carriers who shall determine the persons responsible and the causes that led to the delays and cancellations of landings or takeoffs of aircraft at the airports, according to the provisions of article 97 of the Regulations of the Airports Law. The attributability criteria of the cancellations and delays shall be evaluated pursuant to what is indicated in Fundament Sixteen.

For this, they shall take into account the corresponding information for the times assigned by the airport administrator, the flight schedules or commercial itineraries of the air carriers, the information on air traffic that is provided by the body or agency that provides the services for air navigation, the information from the arrival and/or departure statements pursuant to article 104 of the Regulations of the Airports Law, or from the arrival or departure operations of the flights registered by the airport administrator, and the information on the times that correspond to the authorized operations.

The Department, directly or through the Office of Civil Aeronautics, Services for Navigation in Mexican Airspace, or, if applicable, the body or agency providing the air-navigation services, as well as the airport administrator and air carriers, shall provide the information that the times coordinator requires to carry out their duties; in the event that it is not provided, the times coordinator shall provide notice to the Department.

The times coordinator shall identify and supervise each operation made by the air carriers in the corresponding season; in addition, they shall account for the occupation of each series of times assigned to the air carriers and shall calculate the total occupation percentage of the series pursuant to the provisions of Fundament Five.

The times coordinator shall inform the airport administrator and the air carriers each month about the series of times that are below the minimum occupation percentage, pursuant to the criteria provided for in Fundament Fifteen, the delays attributable to the air carriers and the cases of undue use. Additionally, the times coordinator shall send a monthly report to the airport administrator and to the operation and times committee with detailed information on the evaluation of the occupation of the series of times and the cases of undue use of that have occurred.

The times coordinator shall present the final report on the evaluation of times to the airport administrator and to the operation and times committee within the two months immediately following the date on which the corresponding season concludes so that the airport administrator and the air carriers may be able to prepare for the period of assignment of times for the following equivalent season.

## **TWELVE. UNDUE USE OF LANDING AND TAKEOFF TIMES**

Before the operations are done, the times coordinator must carry out the following preventative actions:

- I. Review of the information found in the times request presented by the air carriers.
- II. Review of the itineraries of air carriers, and in the event of being available, the commercial information published in public access sources like webpages, tickets, among others;
- III. Review of the flight program of the air traffic controller; and
- IV. The others that are considered pertinent.

Based on the actions indicated and the times assigned by the airport administrator, the times coordinator must identify if there is one of the circumstances of undue use before the beginning of the following operations:

- a) An air carrier keeps times that it does not plan on operating, transferring, exchanging, or using in a joint operation;
- b) An air carrier keeps times for an operation other than that planned, in order to deny capacity to another aircraft operator;
- c) An air carrier requested new times that it does not plan on operating; or
- d) All times that are not complied with in approximately 15 minutes or that are canceled are subject to be reported by airport administration to be reviewed by the Delays Subcommittee and the results before the Operation and Times Committee and any time that is not operated shall have to be subject to clarification before the Times Coordinator.

Changes in a route or changes in aircraft shall not be considered as undue use.

When undue use is determined by the times coordinator, the air carrier shall not have the right to eligibility for historical priority for the times that it has operated or for the times assigned in that condition and shall have a lower priority for future assignments of times.

### **THIRTEEN. RETURN OF LANDING AND TAKEOFF TIMES**

The air carriers shall only keep the times that they intend to operate, transfer, exchange, or use in a joint operation; otherwise they must return all the times that they do not plan on using in the season before the deadline for return of landing and takeoff times.

The air carriers shall keep priority over the returned times for assignment in the next equivalent season. In the event that they return them after the deadline for return of landing and takeoff times, they shall lose priority over those times.

The returned landing and takeoff times shall then be part of the reserve fund and shall be assigned pursuant to the provisions in Fundament Six and Seven.

In those cases, in which the times are returned by the air carriers after the end of the initial assignment period for season times, they shall be considered ad hoc times during the season, pursuant to the provisions of Fundament Eight.

The airport administrator shall prepare the list that shall contain the returned times, the name of the air carrier that has returned them, and the date of their return; this list must be published pursuant to the provisions of Fundament Eighteen and Twenty.

The carriers that intentionally return series of times after the deadline for return of landing and takeoff times shall receive a lower priority in these series of times from the times coordinator during the initial coordination of the following equivalent season.

If an air carrier stops operating in an airport in conditions of saturation, it must immediately return to the airport administrator all the times assigned for the rest of that season and for the following season, to be integrated into the reserve fund.

The times assigned to an air carrier that ceases to have a valid concession or permit, according to the provisions of article 14 of the civil aviation law or is in liquidation or bankruptcy shall immediately go to the reserve fund so that the airport administrator may assign it to other carriers, until its operational license is restored or it is declared bankrupt.

#### **FOURTEEN. CANCELLATION OF LANDING AND TAKEOFF TIMES**

Cancellation of times 5 or more consecutive weeks before the initial assignment shall reduce the eligible period for historical priority, or shall generate individual eligible periods for this priority. When the individual periods are recognized as part of the same service (for example, same flight number, route, etc.), utilization of 85% shall be calculated for the total number of operations in all the periods.

Cancellation of the periods of less than 5 consecutive weeks shall not reduce the eligible period for historical priority, provided that the total number of cancellations is 15% or less of the period between the first and the last date of the series of times.

An operation canceled after the initial assignment shall be considered as non-occupied for the purposes of accounting for the occupation percentage, except for the cancellations that are done for causes not attributable to the air carrier pursuant to the provisions of Fundament Sixteen.

The air carrier that is assigned an ad hoc time because of cancellation of another air carrier shall not generate the right of preference that is referenced in article 95, section I of the Regulations of the Airports Law.

The air carriers must make all the cancellations for holidays before or on the same day of the date that is indicated in the calendar that is published on the airport webpage, pursuant to Fundament Twenty, so that these cancellations are not taken into account in the occupation calculus.

#### **FIFTEEN. TRANSFER, EXCHANGE, AND JOINT OPERATION OF LANDING AND TAKEOFF TIMES**

The landing and takeoff times assigned to the air carriers may be transferred, exchanged, or operated jointly among air carriers pursuant to the provisions herein.

A. Transfer and Exchange of Times.

The air carriers that plan on carrying out a transfer or exchange of times must provide notice of their intention to the airport administrator before the date provided for their operation. This notification must indicate the times part of the transaction and its effective date. The air carrier must attach to its notification all of the necessary elements for the times coordinator to be able to verify if the times may be subject to the transaction.

For the validity of transfers and exchanges, the air carriers must:

- I. Be current with payment of their firm and enforceable operations derived from contributions for the use, enjoyment, or utilization of airspace, or from the payment that substitutes them, as well as from those derived from compensations for airport services; and
- II. That the time has been used for at least two equivalent seasons by the original air carrier, and at least during four equivalent seasons for air carriers that have obtained the time in the capacity of new entrant.

The times coordinator shall confirm, if applicable, that all the air carriers involved in the transfer or exchange have priority over the times subject to the transaction.

The air carrier to which the landing and takeoff time was transferred or exchanged shall be responsible for all the request and occupation requirements; noncompliance of one of these requirements shall be a reason to determine that a time is not occupied and be considered within the occupation evaluation. For the purposes of transparency for transfers and exchanges, the times coordinator shall publish on their webpage:

- a) The name of the air carriers involved;
- b) The times transferred or exchanged; and
- c) The applicable period.

The airport administrator shall withdrawal the times subject to a transfer or exchange of times when:

- a) The occupation criteria are not met or it is given undue use, provided for herein; and/or
- b) They are done contrary to the provisions of article 98 of the Regulations of the Airports Law and herein.

#### B. Joint Operation.

The air carriers that intend to carry out a joint operation for landing and takeoff times must provide notice of their intention to the airport administrator before the date provided for their operation. This notification must indicate the times subject to the joint operation and its effective date. The air carrier must attach to their notification all the

elements necessary for the times coordinator to be able to verify if the times may be subject to the joint operation.

The joint operation may be carried out provided that the flights involved remain with the identification code of the air carrier to which the landing and takeoff times have been assigned.

The times coordinator shall confirm, if applicable, that all the air carriers involved in the joint operation that have priority over the times subject to that operation.

The air carrier that operates the assigned landing and takeoff time shall be responsible for all the request and occupation requirements; noncompliance of one of these requirements shall be a reason to determine that a time is not occupied and shall be considered within the occupation evaluation.

The times that are subject to joint operations in the terms of the above paragraph shall keep their occupation registry under the air carrier to which they have been originally assigned; therefore, the priority for assignment of times operated jointly, for the next equivalent season, they shall remain with whom had them assigned prior to the beginning of the season.

For the purposes of transparency of the joint operations, the airport administrator shall publish on their webpage:

- a) The name of the air carriers involved;
- b) The times subject to the joint operation; and
- c) The joint operation period.

The airport administrator shall withdraw the times subject to a joint operation when:

- i) The occupation criteria are not met or are given undue use, provided for herein; and/or
- ii) They are done contrary to the provisions herein.

At the end of the joint operation, or if the air carrier that operates them loses their air permit, the landing and takeoff times involved in a joint operation shall remain assigned to the original holder of this time.

## **SIXTEEN. CAUSES NOT ATTRIBUTABLE TO AIR CARRIERS**

The delays, cancellations, and operations shall not be attributable to the air carriers when they demonstrate that they are due to one of the motives or circumstances that are described below:

- I. Cancellations and delays that result, among other things, from weather conditions, damages to the aircraft by foreign objects, agencies and authorities, restrictions on air transit or on airport infrastructure, noncompliance with the service or damages caused by airport service providers, airport closure or closure of the airspace both of the arrival and

the departure airport of the operation in question, insubordinate passengers, acts of illicit interference, placement of a strike or declaration of it, as well as the actions of authorities that exercise their powers on the terminal building or on the airfield, when there is a mandate by any other authority, or those that are derived from unforeseen circumstances or force majeure or any other that is determined by the airport Delays Subcommittee.

- II. When the operations are affected by unforeseen and inevitable circumstances or motives out of the control of the air carriers and that have as a consequence:
  - a) Immobilization or affectation in the operation of the aircraft generally used to carry out the air service in question, for example, adverse weather conditions;
  - b) Closure of an airport or of the airspace; or
  - c) A serious alteration of the operations in the airports in question in specific operations during an important part of the corresponding programming period.
- III. Interruption of the air services caused by actions aimed toward affecting these services, in a way that it is practically or technically impossible for the air carrier to carry out its operations.

In any case, the air carrier must demonstrate to the entity determined by the Delays Subcommittee, within seven business days following that which corresponds to the time of the assigned series, that the cause for cancellation or unrealized operation is not attributable to them, a body that shall resolve the responsibility and the cause of the cancellation; the above, so that the times coordinator may make the qualification and evaluation referenced in Fundamentals Five, Eleven, and Twelve.

## **SEVENTEEN. NEW ENTRANTS**

New entrants must demonstrate to the airport administrator the capabilities set in article 9, sections I, II, and IV of the civil aviation law to carry out operations with the times requested.

A new entrant is considered to be an air carrier that requests a series of times in an airport on any day where, if the request of the air carrier is accepted, it would have less than 5 times at that airport and on that day of the week.

Within the times referenced, any landing and takeoff time assigned in the previous equivalent season for which it has been possible to grant historical priority during the two prior equivalent seasons shall be accounted for, even when they have been returned or reintegrated to the airport.

The times assigned to new entrants must be occupied by the air carriers that have obtained priority to occupy them pursuant to the occupation and undue use criteria provided for herein.

The times assigned to new entrants may not be transferred or exchanged or operated jointly until they have been operated as indicated in Fundament Fifteen.

## **EIGHTEEN. ACCESS TO INFORMATION AND TRANSPARENCY**

The airport administrator, in addition to what is set in article 94 of the Regulations of the Airports Law, must publish on the webpage of the airport or on the electronic platform referenced for this purpose on the webpage, the following:

- I. The entirety of the standards related to assignment, supervision, and evaluation of the landing and takeoff times, which must be updated each season or each time changes are made to the standard related to assignment, supervision, and evaluation of the landing and takeoff times, as provided by the times coordinator;
- II. All the landing and takeoff operations that are really done, identifying the air carrier that did them and the time assigned for this operation in a weekly manner;
- III. The calendar that indicates the duration of each operational season, which must be published on time, before the period of times assignment and that contains at least:
  - a) The Date of Reference for Historical Landing and Takeoff Times;
  - b) The Deadline for Return of Landing and Takeoff Times;
  - c) The Deadline for Sending the List of Historical Landing and Takeoff Times;
  - d) The Deadline for Agreement of Historical Landing and Takeoff Times;
  - e) The Deadline for Sending Initial Requests; and
  - f) The Deadline for Sending the List of Initial Assignments of Landing and Takeoff Times.
- IV. The forms for the air carriers and operators to request landing and takeoff times;
- V. The assigned landing and takeoff times, specifying the details of the assignment, including the following:
  - a) The name of the air carrier to whom each time was assigned;

- b) If the time was assigned as historical or ad hoc or through a change request, indicating in this case the time over which there is historical priority and that was subject to the change;
  - c) The way in which the series of assigned times for each season was formed; and
  - d) If the operation planned on being done is landing or takeoff.
- The above information must be published within the ten days following the assignment of the times.
- VI. The list of returned times, which must be published in the period that for this purpose is set in the calendar that is referenced in Fundament Twenty;
  - VII. The landing and takeoff times that are available during the season, which must be published immediately after they have been made available;
  - VIII. If applicable, the reasons for which it was not possible to assign a landing and takeoff time, both in the season time requests and in the ad hoc time requests;
  - IX. The monthly reports, as well as the final report, on evaluation of occupation by the times coordinator, specifying the percentage of occupation reached in each series of landing and takeoff times and itemizing the times in which delays, cancellations, and unrealized operations were registered; the above in the periods that for this purpose are set in the calendar that is referenced in Fundament Twenty;
  - X. The monthly report with the determinations by the Delays Subcommittee related to the persons responsible and the causes of the delays and cancellations, which must record the elements that uphold each determination, pursuant to Fundament Five and the Eleven; the above in the periods that for this purpose are set in the calendar that is referenced in Fundament Twenty;
  - XI. The determinations of intentional undue use, specifying the persons responsible, the reasons for their determination, and the actions taken as a consequence, pursuant to Fundament Twelve; the above in the periods that for this purpose are set in the calendar that is referenced in Fundament Twenty;
  - XII. The recommendations of the operation and times committee that are communicated to the airport administrator; the above in the periods that for this purpose are set in the calendar that is referenced in Fundament Twenty;
  - XIII. The transfer or exchange or joint operation transactions for authorized landing and takeoff times. The above information must be published within the ten days following the corresponding transfer or exchange; and
  - XIV. The others determined by the airport administrator.

The airport administrator shall guarantee that the information is registered, incorporated, and processed in those systems that are implemented, whose

results may be published for the purposes of corroborating the actions of the times coordinator in matters of supervision, evaluation, and rating of the occupation of times.

## **NINETEEN. TOOLS FOR THE ADMINISTRATION OF LANDING AND TAKEOFF TIMES**

The airport administrator must have technological tools of internationally recognized use that allow for efficient administration of the landing and takeoff times and the creation of the information related to the use of them, including tying the takeoff time with the flight plan.

The air carriers that operate at airports in conditions of saturation must equip their aircraft with technological tools that allow for reporting in real time the times of their operations in the period that for this purpose is set in the calendar provided in Fundament Twenty.

## **TWENTY. ASSIGNMENT CALENDAR FOR LANDING AND TAKEOFF TIMES**

- I. The airport administrator must publish on the airport webpage the landing and takeoff times that the airport has grouped in timeslots of sixty minutes.
- II. The airport administrator must publish ten days before the beginning of season coordination the calendar that contains all the dates and periods considered in the procedures for assignment of times, including all the procedures provided for herein, these periods must be set according to the global calendar published by IATA on the webpage [www.iata.org/wsg](http://www.iata.org/wsg) and it must contain at least the following dates:
  - a) The Date of Reference for Historical Landing and Takeoff Times;
  - b) The Deadline for Return of Landing and Takeoff Times;
  - c) The Deadline for Sending the List of Historical Landing and Takeoff Times;
  - d) The Deadline for Agreement of Historical Landing and Takeoff Times;
  - e) The Deadline for Sending Initial Requests; and
  - f) The Deadline for Sending the List of Initial Assignments of Landing and Takeoff Times
- III. The airport administrator must indicate the specific dates or periods in which a commitment is made to publish information corresponding to:
  - a) The additional assignments of times during the season, whenever it is done in compliance with what is stipulated in Fundament Eight;

- b) The transfers, exchanges, or joint operations;
  - c) The returns of times;
  - d) The cancellations;
  - e) The identification of the times requested and of the air carriers that requested these times.
- IV. The airport administrator must indicate in the calendar the dates for publication of:
- a) The monthly reports of the occupation evaluation by the times coordinator, as well as the final report;
  - b) The monthly report distributed by the Delays Subcommittee, related to the persons responsible and the causes of the cancellations;
  - c) The report with the determinations of intentional undue use;
  - d) The report with the recommendations of the operations and times committee that are communicated to the airport administrator.
- V. The airport administrator must set the deadline for air carriers that operate or intend to operate at airports in conditions of saturation to pursuant to equip their aircraft with technological tools that allow for reporting in real time the times of their operations. In all these cases, they must identify the air carriers involved, pursuant to the rules provided for herein.

## **TWENTY-ONE. AIRPORT OPERATION CAPACITY STUDY**

The Department shall carry out periodic studies, or when the airport infrastructure changes significantly, to determine the operation capacity in the airport's airfield in order to determine the number of times that may be attended to in each hour, pursuant to the provisions of article 94 of the Regulations of the Airports Law. The capacity studies must include all the areas of the relevant airport system.

The capacity studies must determine the operating, environmental, and infrastructure constraints that impede satisfying demand, as well as find alternatives to mitigate these insufficiencies through changes and improvements in infrastructure, operations, or policies.

The results of the capacity studies must be made available to all concerned parties in order to foster cooperation, as well as mitigate and solve the existing constraints on demand.

## **TWENTY-TWO. INTERPRETATION OF THESE FUNDAMENTS**

Interpretation of these Fundaments for administrative purposes and resolution of the cases not provided for in them shall be the responsibility of the Department Office of Civil Aeronautics.

## **TWENTY-THREE. APPLICABLE LEGISLATION**

In the absence of an express provision herein the Laws on General Communication Routes, Civil Aviation, Airports, Federal Administrative Procedure, and the corresponding Regulations shall be applicable.

## **TRANSITORY**

**ONE.** These Fundaments shall take effect on of the day following publication in the Official Gazette of the Federation.

**TWO.** The airport administrators at airports in conditions of saturation in the airfield must modify their Operating Rules within the fifteen days following the publication of these Fundaments in the Official Gazette of the Federation, they must submit them for authorization by the Department of Communications and Transportation.

**THREE.** Pursuant to article five of the Agreement that sets the guidelines that must be observed by the decentralized agencies and bodies of Federal Public Administration, with regard to the issue of administrative actions of general character to which article 69-H of the Federal Administrative Procedure Law is applicable, procedure SCT-02-061-D is eliminated and the maximum resolution period for procedure SCT-02-057 is reduced, going from 90 to 50 calendar days.

**FOUR.** The mandatory memorandum CO SA-30/12, issued on May seventeenth, twenty twelve, is repealed.

Issued in Mexico City, on \_\_\_\_\_, \_\_\_\_\_, twenty seventeen.