



JURIS PUBLISHING

世界各国のビジネス法シリーズ

Legal Aspects of Doing Business in ... Series



シリーズ総責任編集: Dennis Campbell
Center for International Legal Studies (CILS)

約140ヶ国のビジネス法制度の概要を収録する人気シリーズ。
投資優遇措置、法人設立、労働法、為替、事業取得、輸出入、信用と担保、
税制、関税、知的財産権、環境法、PL法等、各国の法制度が簡便に把握
できるレファレンスです。

継続でのご購読をおすすめ致します

各全1巻 ルーズリーフ&バインダー 追補版 年約1回

1. アフリカ (29法域) 本体 ¥37,332+税

Legal Aspects of Doing Business in Africa, 2nd Ed.

Algeria / Angola / Benin / Botswana / Burkina Faso / Cameroon / The Democratic Republic of
Congo / Egypt / Ethiopia / Ghana / Guinea / Ivory Coast / Kenya / Liberia / Madagascar / Malawi
/ Mauritania / Mozambique / Republic of Namibia / Nigeria / Senegal / South Africa / Sudan /
Tanzania / Tunisia / Uganda / Zambia / Zanzibar / Zimbabwe

2. アジア (24法域) 本体 ¥37,332+税

Legal Aspects of Doing Business in Asia, 2nd Ed.

Australia / Azerbaijan / Bangladesh / Cambodia / China / Hong Kong / India / Indonesia / Japan / Kazakhstan / Republic of Korea / Lao People's
Democratic Republic / Malaysia / Federated States of Micronesia / Nepal / New Zealand / Pakistan / Papua New Guinea / The Philippines /
Singapore / Sri Lanka / Taiwan / Thailand / Vietnam

3. ヨーロッパ (40法域) 本体 ¥54,696+税

Legal Aspects of Doing Business in Europe, 2nd Ed.

Albania / Andorra / Austria / Belarus / Belgium / Bulgaria / Croatia / Cyprus / Czech Republic / Denmark / Estonia / Finland / France / Georgia /
Germany / Gibraltar / Greece / Hungary / Iceland / Ireland / Isle of Man / Italy / Liechtenstein / Lithuania / Malta / Moldova / Monaco / Montenegro
/ The Netherlands / Norway / Poland / Portugal / Romania / Russia / Serbia / Slovak Republic / Spain / Sweden / Switzerland / United Kingdom

4. 南米 (29法域) 本体 ¥50,355+税

Legal Aspects of Doing Business in Latin America, 2nd Ed.

Anguilla / Argentina / The Bahamas / Barbados / Bermuda / Bolivia / Brazil / British Virgin Islands / Cayman Islands / Chile / Colombia / Costa
Rica / Dominican Republic / Ecuador / El Salvador / Guatemala / Guyana / Honduras / Jamaica / Mexico / Nicaragua / Panama / Paraguay / Peru /
Trinidad and Tobago / Turks and Caicos Islands / United States Virgin Islands / Uruguay / Venezuela

5. 北米 (米・カナダ各州) 本体 ¥54,696+税

Legal Aspects of Doing Business in North America, 2nd Ed.

6. 中東 (16法域) 本体 ¥28,650+税

Legal Aspects of Doing Business in the Middle East, 2nd Ed.

Algeria / Bahrain / Egypt / Iran / Republic of Iraq / Israel / Jordan / Kuwait / Lebanon / Oman / Qatar / Kingdom of Saudi Arabia / Syria / Tunisia /
Turkey / United Arab Emirates

各法域とも約20-40ページ前後です。

【ご注文に際して】 ◆記載の文献は英語文献です。 ◆小社在庫切れの際、ご注文後約2~4週間でご指定のお届け先にお届け致します(送料小社負担)。
◆記載の価格は2017年2月現在の価格です。 ◆追録の要否をご指定下さい。

M MARUZEN-YUSHODO

丸善雄松堂株式会社 学術情報ソリューション事業部 法律情報営業部

〒160-0002 東京都新宿区四谷坂町10-10 Tel: 03-3357-1435 Fax: 03-3357-2805 e-mail: my-legal@maruzen.co.jp



Table of Contents (例 : Mexico)

Introduction

Establishment of Enterprises

- In General
- Representative Office
- Branch Office
- Corporate Presence through Corporations and Limited Liability Companies

Acquisition of Enterprises

- Purchase of Equity
- Purchase of Assets

Acquisition of Realty

- In General

- Transfer Formalities

Taxation

- In General
- Residency Criteria
- Income Tax
- Value-Added Tax
- Tax Treaties
- State Taxes

Customs Regulation

- In General
- Clearance of Goods
- Customs Brokers and Attorneys-in-Fact for Foreign Trade

- Tariff Considerations, Regulation Measures, and Non-Tariff Restrictions
- Customs Regimes
- Customs Violations and Fines

Criminal Regulation

- Legal Framework

Competition Law

- Legislative Framework
- Restraints on Specific Practices
- Concentrations
- Actions for Damages
- Privatizations, Publications, and Opinions

● サンプルページ (Mexico 33-35)

MEXICO

MEX-33

Currency Regulation, Capital and Profit Transfer, and Foreign Investment

Currency Regulation

There is no restriction on the purchase and sale of foreign currency in Mexico. Mexico has a market-determined floating exchange rate. Under certain circumstances, the Mexican Central Bank (*Banco de México*) may intervene in the currency exchange market by selling foreign currency or through other methods in order to provide stability to the country's economy.

Mexican monetary law acknowledges the Mexican peso as the legal currency within the Mexican Republic, but most important transactions (including those related to real estate) are usually denominated in foreign currency, especially the United States dollar. Foreign currency-denominated obligations that are payable in Mexico may be paid in the Mexican currency at the exchange rate published by the Mexican Central Bank.

Capital and Profit Transfer

There is no restriction on transferring capital or profits into or out of Mexico in hard currency.

Foreign Investment Regulation

In General

The Foreign Investment Law (*Ley de Inversión Extranjera*, LIE) defines foreign investment as the participation by foreign investors (defined as an individual or entity of any nationality other than Mexican and foreign entities with no legal standing) in any percentage in the capital stock of Mexican companies; investments in Mexican companies where the majority interest is made up of foreign capital; or participation by foreign investors in activities and acts contemplated in the LIE.

As a general rule, foreign investors may participate in the capital of Mexican companies in any proportion, acquire fixed assets, enter new fields of economic activity or manufacture new product lines, open and operate establishments, and expand or relocate existing establishments. There are certain activities where foreign investment is restricted, while foreign investment may only participate up to a certain percentage in certain other activities.

Restricted Economic Activities

The Mexican Political Constitution foresees that the Mexican State reserves for itself some strategic areas where no investment will be permitted. These restricted areas are the following:

- Postal service, telegraphs, and radiotelegraphy;
- Radioactive minerals and generation of nuclear energy;

MEX-34

LEGAL ASPECTS

- Planning and control of the National E
- Public services of transmission and di
- Exploration and extraction activities o

There are some businesses or economic activities in which the participation of Mexicans or Mexican companies with foreign investment is restricted. These activities include national land transport, air taxi transportation, and special air taxi transportation, printing and publishing, professional services that specify such special limitations for foreign investment in some of the following:

- A limit of up to 10 per cent foreign participation in the capital stock of companies for production; and
- A limit of 25 per cent on foreign participation in the capital stock of companies in air taxi transportation, and special air taxi transportation, printing and publishing, firearm-related industries, printing and publishing, circulation, fishing, port administration, order to perform inland navigation transportation, fuels and lubricants for vessels, aircraft, and other transportation companies dedicated to the commercial transportation of passengers, navigation and coastal shipping, except

The limits on foreign investment participation in the capital stock of Mexican companies may not be surpassed directly or indirectly through agreements, bylaw agreements, pyramiding schemes, or other means, or higher participation than that of the foreign investor.

However, neutral investment (*inversión neutral*) is a type of financial investment that is not characterized by the purposes of the limitations provided in the LIE to surmount the foreign investment restrictions.

Neutral investment allows economic, but certainly will not grant the foreign investor the right to participate in the company through a special class of stock that the Mexican State is not taken into account in determining the company's capital stock.

Moreover, a foreign investor must obtain the approval of the Commission on Foreign Investment (*Comisión Nacional de Inversión Extranjera*, CNIE) in order to participate in the capital stock of companies in port services of vessels in international transactions, navigation companies or other entities which are concessionaires or holders of concessions for public service, legal services, and construction of roads, bridges, and

(Release 5 – 2016)

Telecommunications and Broadcasting

- In General
- Federal Telecommunications and Broadcasting Law
- Public System of Broadcasting of the Mexican State Law

Energy and Natural Resources

- In General
- Oil and Gas
- Midstream and Downstream
- Power
- Infringements and Sanctions

Currency Regulation, Capital and Profit Transfer, and Foreign Investment

- Currency Regulation
- Capital and Profit Transfer
- Foreign Investment Regulation
- Bilateral Investment Treaties
- Investment Protection
- Dispute Settlement Mechanisms

Intellectual Property

- In General
- Copyright
- Industrial Property

- Enforcement
- Madrid Protocol

Employment Law

- Federal Labor Law
- Duration of Employment Relationship
- Termination of Employment Relationship
- Statutory Benefits and Working Conditions

Litigation and Arbitration

- In General

Arbitration

Conclusion

WAYS OF DOING BUSINESS IN LATIN AMERICA

Electric System;
distribution of electricity energy; and
of oil and any other hydrocarbons.

economic activities reserved exclusively to
no foreign investment. These reserved
ation, credit unions, and the provision of
situation in the applicable laws. There are
me activities and acquisitions, described

ign investment in case of cooperative

participation in domestic air transportation,
sized air transportation, explosive and
and publishing of newspapers of national
on, port piloting services of vessels in
ansactions, and broadcasting,) supply of
aft and railway equipment, and shipping
rcial exploitation of vessels for inland
ot for cruises.

participation in the specified activities and
y or through trusts, contracts, partnership
mes, or other mechanisms granting any
established.

n *neutra*), which is a non-participatory
cterized as foreign investment for the
y the LIE, has made it possible to
ions.

out very limited, corporate rights and it
estor control over the company or trust.
e in Mexican companies or in trusts
Ministry of Economy authorizes and that
the percentage of foreign investment in

obtain the approval of the Mexican
(*Comision Nacional de Inversiones*
ate in a percentage higher than 49 per
order to perform inland navigation
dicated to the exploitation of vessels,
lders of permits of aerodromes of public
action, operation, and exploitation of

MEXICO

MEX-35

Finally, foreign investors require an authorization from the CNIE when they acquire, directly or indirectly, equity of a company whose assets are above the amount fixed each year by the CNIE (currently, around US \$215 million).

Foreign Investment Registry

The Mexican government relies on the statistics on foreign investment provided by the Foreign Investment Registry (*Registro Nacional de Inversión Extranjera*, RNIE) that monitors, collects statistics on, and surveys foreign investment in Mexico. Specific information about investors and investments is not generally available to the public, except for the statistical data available through general publications or aggregate data available at the website of the registry.⁸

All foreign investors and Mexican companies with foreign participation in their ownership are subject to registration. Upon registration with the RNIE, periodic reporting obligations arise; failure to comply with reporting obligations may trigger the imposition of fines.

Restrictions on Property Acquisition

Mexican Companies with Foreign Investment. There are no restrictions on Mexican commercial companies seeking to acquire urban real property, even if non-Mexican equity holders participate in the capital stock, whether as minority or majority stakeholders.

Companies may only acquire rural property to the extent that is necessary for the fulfillment of their corporate purpose. In no event may these corporations acquire real property dedicated to agricultural, cattle, or forestry activities of an area larger than the established threshold.

Furthermore, acquiring property in a restricted zone (discussed in the earlier section ‘Acquisition of Property’) requires, *inter alia*, Mexican companies to include a ‘Calvo Clause’ in their corporate bylaws. A Calvo Clause is an acceptance by foreign shareholders to consider themselves nationals as regards that property and an express agreement not to invoke the protection of their governments, under the penalty of forfeiting their property for the benefit of the nation if they do so.

Mexican companies with a Calvo Clause included in their bylaws are authorized to acquire real properties located in the restricted zone for non-residential and residential purposes. They may acquire real property in a restricted zone for non-residential purposes only when the corporation registers the acquisition with the Ministry of Foreign Affairs (*Secretaria de Relaciones Exteriores*). Mexican companies may acquire real property in a restricted zone for residential purposes only when they fulfill certain obligations.

⁸ The Registry (in Spanish) is accessible through the website of the Ministry of Economics at http://www.economia.gob.mx/swb/es/economia/p_Direccion_General_Adjunta_del_RNIE.

国際商事仲裁の法と実務

Law and Practice of International Commercial Arbitration

編集代表：谷口安平・鈴木五十三

編集委員：手塚裕之・出井直樹・古田啓昌・早川吉尚

580頁 A5判 上製 2016年8月刊 ISBN: 9784841906752 発行：丸善雄松堂株式会社

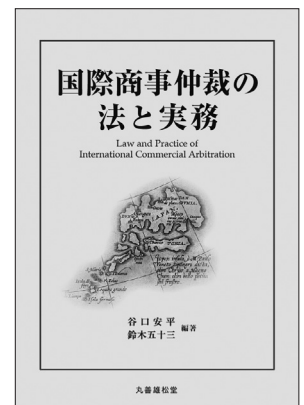
定価 本体10,000円+税

本書の書評が掲載されました！

『NBL』1090(2017.1.15)号

『国際商事法務』Vol.44 No.12

- 国際的商事紛争の解決手段として世界的に広く用いられている国際仲裁の法と実務に焦点をあてた、本邦初の本格的解説書。
- 国際仲裁の世界的な権威である、谷口安平 京都大学名誉教授、鈴木五十三 弁護士のもと、最前線で活躍する実務家と研究者が結集し、その経験に裏打ちされた仲裁実務の実際や、理論的側面について解説。
- UNCITRALモデル法・規則、ニューヨーク条約、IBAガイドライン等の国際的な法源、および、国際商業会議所（ICC）、シンガポール国際仲裁センター（SIAC）、米国仲裁協会・紛争解決国際センター（AAA/ICDR）、ロンドン国際仲裁裁判所（LCIA）などの主要な仲裁機関における規則と実務を検討。日本国仲裁法および日本商事仲裁協会（JCAA）との比較も随所で言及。
- 実務上の標準言語である英語による表現や重要語句を、著編者らによって吟味された日本語とともに豊富に配しており、内外の研究および実務への貢献も期待される。



内 容

序章 国際商事仲裁の概念・歴史・理論 (谷口安平・鈴木五十三)	4 実体準拠法 (早川吉尚)
第1章 概観 (早川吉尚)	5 和解との関係 (日下部真治・井上 葵)
第2章 仲裁合意 (道垣内正人)	6 守秘義務と仲裁非公開原則 (日下部真治・井上 葵)
第3章 仲裁の申立て (手塚裕之・河端雄太郎)	第6章 暫定措置 (小原淳見)
第4章 仲裁人・仲裁廷 (高取芳宏・一色和郎・松本はるか)	第7章 仲裁判断 (柏木 昇)
第5章 審理手続	第8章 仲裁判断の取消し (森下哲朗)
1 国際商事仲裁における審理 (出井直樹)	第9章 仲裁判断の承認・執行 (小川和茂)
2 証拠の提出 (飛松純一)	第10章 国際海事仲裁 国際建設仲裁 (簗原建次 大本俊彦)
3 証人尋問——様々な方法 (古田啓昌・土門駿介)	第11章 投資条約仲裁 (濱本正太郎)

丸善雄松堂株式会社が運営する、法人向けのオンライン書店サービス ◆ Knowledge Worker ◆ のご案内
洋書・和書の各種分野の専門書、学術書を中心に、丸善雄松堂ならではのサービスをご提供いたします

- ・請求書決済やクレジットカード決済に対応
- ・クリック1つでご注文からお届けまでスムーズな流れ
- ・最新の実務 / 学術専門書情報を幅広く提供

詳細はこちら <http://kw.maruzen.co.jp/>

ナレッジワーカー
**KNOWLEDGE
WORKER**

※無料の会員登録をしていただく必要がございますので、登録ご希望のお客様は my-legal@maruzen.co.jp までご連絡ください。