Energy Alert. - Mexico’s National Hydrocarbons Commission releases available information of the Hydrocarbons Information National Center

The Mexican Hydrocarbons Law establishes that geologic, geophysical, petrophysical, petrochemical, geochemical and all other information obtained from recognition and exploration as well as extraction activities carried out by Pemex or any other State’s productive company, belongs to the Nation. Accordingly, it is also the Nation’s obligation to gather, maintain, use, manage and publish such information through the National Hydrocarbons’ Commission National Information Center.

On September 22, 2015, Mexico’s National Hydrocarbons Commission released the general guidelines for the use of information obtained so far (the “Guidelines”). The current information available covers deep waters’ seismic studies- through an online platform available in the following link http://cnh.gob.mx/cnih/cnih_3000.aspx. The objective of the platform is to urge information development for the industry so as to incentivize global investors and professionals to analyze, identify and engage in new business opportunities.

The Guidelines establish the requirements and procedures necessary to access information. Amongst the most relevant provisions are the following:

- Interested parties should apply for licenses to use information through the Commission’s website, specifying the type and volume of information they are interested in accessing, the intended use and how they will preserve the information safeguarded and confidential. Information may be accessible prior to the application in the Commission’s premises through an appointment.

- Decisions evaluating the satisfactory submission of applications should be issued 15 business days after filed and, in case missing documentation or inconsistencies are found, the Commission should warn and require the interested party to amend and adjust the application accordingly within the next 5 days. Applications that are not amended or adjusted satisfactorily should be denied. After notice of satisfactory submissions, the Commission should issue its decision in no longer than 20 business days.

- Amongst the most relevant conditions for the use of such licenses are: i) applicants must use the information only during the period they are expressly authorized for (maximum 25 years, which may be extended to 5 additional years in one single occasion); ii) they should keep at the Commission disposition any derived products for at least 3 months keeping such products safeguarded and confidential; and iv) keep record of people with access to the information or products.

- Under no circumstances may a license be transferred, sold, borrowed or leased, nor any of the products or information derived therefrom.

- The Commission will inform the payable balance for the use of the license -amount which will vary depending on the volume and type of information requested- no later than 15 business days after an application is approved. Universities and contractors with authorization to use such information (in terms of the agreements entered into with the Commission) may be waived of any fees.

Contacts:

Alfredo Álvarez  
Partner  
Mancera, S.C.  
+52 55 110 18422  
alfredo.alvarez@mx.ey.com

Koen van’t Hek  
Partner  
Mancera, S.C.  
+52 55 1101 6439  
koen.van-t-hek@mx.ey.com

Óscar López Velarde  
Partner  
Ernst & Young LLP  
+1 713 750 4810  
+ 52 55 5283 8677  
oscar.lopezvelardeperez@ey.com

Rodrigo Ochoa  
Partner  
Mancera, S.C.  
+ 52 55 5283 1493  
rodrigo.ochoa@mx.ey.com

José Fano  
Partner  
Mancera, S.C.  
+52 55 5283 6425  
jose.fano@mx.ey.com

Yuri Barrueco  
Partner  
Mancera, S.C.  
+52 55 1101 8433  
yuri.barrueco@mx.ey.com

Santiago Llano  
Senior Manager  
Ernst & Young LLP  
+1 713 750 8376  
santiago.llanozapatero@ey.com