

## Federal Economic Competition Law

**Disclaimer:** This document is an unofficial courtesy translation of the consolidated text incorporating the Decree amending, adding, and repealing various provisions of the Federal Law on Economic Competition and the Federal Law on Parastatal Entities ("**Decree**"), as published in the Official Gazette of the Federation ("**DOF**") on July 16, 2025.

**Please note that only the version that will be published by the Mexican Congress is binding for all legal and official purposes.**

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### BOOK ONE ORGANIZATION AND OPERATION

#### TITLE I GENERAL PROVISIONS

**Article 1.** This Law regulates Article 28 of the Political Constitution of the United Mexican States in matters of free competition, economic competition, monopolies, monopolistic practices, and mergers, is of public order and social interest, applicable to all areas of economic activity and of general observance throughout the Republic

**Article 2.** The purpose of this Law is to promote, protect and guarantee free competition and economic competition, as well as to prevent, investigate, combat, effectively prosecute, severely punish and eliminate monopolies, monopolistic practices, unlawful mergers, barriers to free competition and economic competition, and other restrictions on the efficient functioning of markets.

**Article 3.** For the purposes of this Law, the following definitions apply:

- I. Economic Agent: Any natural or legal person, with or without profit, dependencies, and entities of the federal, state, or municipal public administration, associations, business chambers, groups of professionals, trusts, or any other form of participation in economic activity;
- I Bis. Agency: Digital Transformation and Telecommunications Agency;



- II. Investigative Authority: The authority referred to in Article 26 of this Law;
- III. Public Authority: All authority of the Federation, of the States, of Mexico City and of the Municipalities or Territorial Demarcations, of their entities and dependencies, as well as of their parastatal and paramunicipal administrations, public trusts, institutions, and autonomous bodies, and of any other public entity;  
[Amended section DOF 16-07-2025](#)
- IV. Barriers to Competition and Free Competition: Any structural characteristic of the market, fact or act of Economic Agents that has the purpose or effect of preventing the access of competitors or limiting their ability to compete in the markets; that impede or distort the process of competition and free competition, as well as the legal provisions issued by any order of government that unduly impede or distort the process of competition and free competition;
- V. Commission: *The National Antimonopoly Commission*;  
[Amended section DOF 16-07-2025](#)
- VI. CRT: *Telecommunications Regulatory Commission*;  
[Amended section DOF 16-07-2025](#)
- VII. ***Repealed***  
[Repealed section DOF 16-07-2025](#)
- VIII. Regulatory Provisions: The general administrative provisions issued by the Commission for the fulfillment of its functions in terms of this Law;  
[Amended section DOF 16-07-2025](#)
- IX. Confidential Information: That which, if disclosed, may cause damage or harm to the competitive position of the person who has provided it, contains personal data whose disclosure requires their consent, may put their security at risk or when its disclosure is prohibited by law;
- X. Public Information: That which has been made known by any means of public dissemination, is found in records or in publicly accessible sources;



**XI.** Reserved Information: That to which only Economic Agents with a legal interest in the procedure can have access;

**XI Bis.** Commissioner: Each of the five members of the Board of the Commission;

[Added section DOF 16-07-2025](#)

**XII.** Body in charge of the investigation: The instance of the Commission that is responsible for the investigation of the procedures referred to in this Law, in the terms determined by the organic statute;

**XIII.** Board: It is the governing body of the National Antimonopoly Commission, which is made up of five Commissioners, including the Presiding Commissioner;

[Amended section DOF 16-07-2025](#)

**XIV.** Attorney General's Office: The Federal Consumer Protection Agency;

**XIV Bis.** Regulations: The regulations issued for this purpose of this Law;

[Added section DOF 16-07-2025](#)

**XV.** Secretariat: The Ministry of Economy.

**Article 4.** All Economic Agents are subject to the provisions of this Law. The Economic Agents who have taken or adopted the decision, as well as instructed or exercised decisive influence in the decision-making, and the one directly involved in the performance of the conduct prohibited by this Law, will be jointly and severally liable.

**Article 5. *Repealed***

[Article repealed DOF 16-07-2025](#)

**Article 6.** The functions that the State exercises exclusively in the strategic areas determined in the Political Constitution of the United Mexican States, as well as the activities conducted by the State's public enterprises and those expressly indicated by the laws issued by the Congress of the Union, do not constitute monopolies.

[Amended paragraph DOF 16-07-2025](#)

***Repealed***

[Repealed paragraph DOF 16-07-2025](#)



**Article 7.** Associations of workers constituted in accordance with the relevant legislation for the protection of their own interests do not constitute monopolies.

Nor do the privileges granted for a certain period to authors and artists to produce their works and those granted to inventors and perfecters for the exclusive use of their inventions or improvements constitute monopolies.

The Economic Agents referred to in the two preceding paragraphs shall be subject to the provisions of this Law with respect to acts that are not expressly included within the protection indicated in Article 28 of the Political Constitution of the United Mexican States.

**Article 8.** Associations or cooperative societies of producers to sell national or industrial products directly on foreign markets in defense of their interests or the general interest do not constitute monopolies, provided that:

- I. Such national or industrial products are the main source of wealth in the region in which they are produced or are not necessities;
- II. Their sales or distribution are not made within the national territory;
- III. Such associations or cooperative societies are under the supervision or protection of the Federal Government or the States, and are previously authorized in each case to be constituted by the legislature corresponding to their registered office;
- IV. Membership in such associations or cooperative societies is voluntary, and their members are allowed to enter and leave freely, and
- V. Do not grant or distribute permits or authorizations whose issuance corresponds to agencies or entities of the federal public administration.

The Economic Agents referred to in this article shall be subject to the provisions of this Law with respect to acts that are not expressly included within the protection indicated in Article 28 of the Political Constitution of the United Mexican States.

**Article 9.** For the imposition, under the terms of Article 28 of the Political Constitution of the United Mexican States, of maximum prices for goods and services that are necessary for the national economy or popular consumption,



except for the regulation provided for in the Hydrocarbons Sector Law, the following shall apply:

[Amended paragraph DOF 16-07-2025](#)

- I. It is the exclusive responsibility of the Federal Executive to determine by decree the goods and services that may be subject to maximum prices if there are no conditions of effective competition in the relevant market in question. The Commission shall determine by means of a declaration whether there are no conditions of effective competition.
- II. The Secretariat, without prejudice to the attributions that correspond to other agencies or entities and after the opinion of the Commission, shall set the prices that correspond to the goods and services determined in accordance with the previous section, based on criteria that avoid insufficiency in the supply.

The Secretariat may agree and coordinate with producers or distributors the actions or modalities that are necessary in this matter, seeking to minimize the effects on competition and free competition.

The Office of the Attorney General, under the coordination of the Secretariat, shall be responsible for the inspection, surveillance and sanction of the prices determined in accordance with this article, in accordance with the provisions of the Federal Consumer Protection Law.

## TITLE II OF THE NATIONAL ANTIMONOPOLY COMMISSION

[Amended title DOF 16-07-2025](#)

### Chapter I Of the Commission

#### Section I Of its Nature, Purpose, and Domicile

**Article 10.** The Commission is a decentralized public body of the Federal Public Administration, sectorized to the Secretariat, with legal personality and its own assets, management autonomy and endowed with technical and operational independence in its decisions, organization and operation; whose purpose is to guarantee free competition and economic competition in all markets of the country, as well as to prevent, investigate and combat monopolies, monopolistic practices, mergers and other restrictions on the



efficient functioning of markets, for which it must perform in a professional and impartial manner in its actions.

[Amended article DOF 16-07-2025](#)

**Article 11.** The address of the Commission shall be Mexico City and, subject to budgetary availability, it may establish representative offices outside Mexico City.

[Amended article DOF 16-07-2025](#)

## **Section II**

### **Powers of the Commission**

**Article 12.** The Commission shall have the following powers:

- I. Guarantee free competition and economic competition; preventing, investigating, and combating monopolies, monopolistic practices, mergers, and other restrictions on the efficient functioning of markets, and imposing sanctions derived from such conduct, under the terms of this Law;
- II. Order measures to eliminate barriers to competition and free competition; to determine the existence and regulate access to essential inputs, as well as to order the divestment of assets, rights, social shares or shares of Economic Agents in the proportions necessary to eliminate anticompetitive effects;
- III. To carry out dawn raids under the terms of this Law and its Regulations, to summon to testify persons related to the subject of the investigation and to require the production of papers, books, documents, files and information generated by electronic, optical or any other technology, in order to verify compliance with this Law, carry out inspection procedures or collect data through any tool, as well as request the support of the public force or any Public Authority for the effective performance of the powers referred to in this Law;
- IV. To establish coordination agreements and agreements with the Public Authorities for the fight against and prevention of monopolies, monopolistic practices, unlawful mergers, barriers to free competition and economic competition, and other restrictions on the efficient functioning of markets;

[Amended section DOF 16-07-2025](#)



- V. To file complaints and complaints with the Public Prosecutor's Office regarding the probable criminal conduct in matters of free competition and economic competition of which they are aware;
- VI. To file a request for dismissal with respect to probable criminal conduct against consumption and national wealth provided for in the Federal Criminal Code, when he has been a complainant or complainant;
- VII. Exercise their budget;

[Amended section DOF 16-07-2025](#)

- VIII. To create the administrative bodies and units necessary for their professional, efficient, and effective performance, in accordance with their authorized budget;
- IX. To order the suspension of the acts or facts constituting probable conduct prohibited by this Law and to impose other precautionary measures;

[Amended section DOF 16-07-2025](#)

- X. To rule on matters within its competence and to administratively sanction the violation of this Law;
- XI. To rule on conditions of competition, effective competition, the existence of substantial power in the relevant market or other issues related to the process of free competition or economic competition referred to in this or other laws and regulations;

**XII. *Repealed***

[Repealed section DOF 16-07-2025](#)

- XIII. To issue an opinion, at the request of the Federal Executive, by itself or through the Secretariat, with respect to the preliminary draft laws, provisions, rules, agreements, circulars and other administrative acts of a general nature that Public Authorities intend to issue, when they may have effects contrary to the process of free competition and economic competition in accordance with the applicable legal provisions, without these opinions having binding effects;

[Amended section DOF 16-07-2025](#)

**XIV. *Repealed***

[Repealed section DOF 16-07-2025](#)



**XV. *Repealed***

[Repealed section DOF 16-07-2025](#)

- XVI.** To rule on requests for formal opinions, and to issue general guidelines on free competition and economic competition that are formulated in accordance with Articles 104 to 110 of this Law;
- XVII.** To issue Regulatory Provisions for the fulfillment of its attributes, as well as its organic statute, which must be published in the Official Gazette of the Federation.

Regardless of the issuance and publication of the Regulatory Provisions, the Commission may issue guidelines and technical criteria, as well as guides of a guiding nature for the effective compliance with this Law;

[Amended section DOF 16-07-2025](#)

- XVIII.** To give an opinion when it deems it appropriate, or at the request of the Federal Executive, by itself or through the Secretariat, or the Chamber of Senators of the Congress of the Union on matters relating to free competition and economic competition in the conclusion of international treaties, in terms of the provisions of the law on the matter;
- XIX.** To give an opinion on the incorporation of protective and promotional measures in matters of free competition and economic competition in the processes of disincorporation of public entities and assets, as well as in the procedures of tenders, assignment, concessions, permits, licenses or similar figures carried out by the Public Authorities, when so determined by other laws or the Federal Executive through agreements or decrees;
- XX.** To promote, in coordination with the Public Authorities, that their administrative acts observe the principles of free competition and economic competition;
- XXI.** To promote the study, dissemination, and application of the principles of free competition and economic competition, as well as to participate in national and international forums and organizations that have this purpose;





**XXII. *Repealed.***

[Repealed section DOF 16-07-2025](#)

**XXIII.** To carry out or order the carrying out of studies, research work and general reports on free competition and economic competition, where appropriate, with proposals for liberalization, deregulation or regulatory modification, when it detects risks to the process of free competition and economic competition, identifies a competition problem or is requested to do so by other Public Authorities;

**XXIV.** To approve the guidelines for the functioning of the Board;

**XXV.** To prepare the annual work program and the quarterly report of activities that must be submitted to the Federal Executive and Legislative Branches through the Presiding Commissioner;

**XXVI.** To request or require, for the exercise of its powers, the information it deems necessary;

**XXVII.** To establish coordination mechanisms with public authorities in matters of free competition and economic competition policies and for compliance with the other provisions of this Law or other applicable provisions;

**XXVIII.** To exercise collective actions in accordance with the provisions of Book Five of the Federal Code of Civil Procedure;

**XXIX.** To request studies that evaluate the performance of the powers granted to the Commission, which will be prepared by academics and experts in the field independently of the authority, and

**XXX.** To establish, under the international agreements duly entered into by the Government of the United Mexican States, in coordination with the Ministry of Foreign Affairs, mechanisms for cooperation and coordination with economic competition authorities abroad in matters of investigations and procedures provided for in this Law, as well as the exchange of all types of information for the purposes of the foregoing;

[Added section DOF 16-07-2025](#)

**XXXI.** Impose limits on the national and regional concentration of frequencies, concessions and cross-ownership that control several



media outlets that are broadcasting and telecommunications concessionaires that serve the same market or geographical coverage area, in terms of the provisions of Book Four of this Law;

[Added section DOF 16-07-2025](#)

XXXII. To determine the existence of preponderant economic agents in the broadcasting and telecommunications sectors, and to impose the necessary measures to prevent competition and free competition in these sectors from being affected;

[Added section DOF 16-07-2025](#)

XXXIII. To declare the existence or non-existence of conditions of effective competition in the telecommunications and broadcasting sectors and, where appropriate, the imposition, modification or extinction of the obligations imposed on the Preponderant Economic Agents in terms of the provisions of this Law;

[Added section DOF 16-07-2025](#)

XXXIV. To establish the measures and impose the specific obligations that allow the effective unbundling of the local network of the Preponderant Economic Agent in the telecommunications sector;

[Added section DOF 16-07-2025](#)

XXXV. To share information and establish coordination mechanisms with the CRT and, where appropriate, with the Agency;

[Added section DOF 16-07-2025](#)

XXXVI. To analyze, evaluate, and, where appropriate, authorize the structural separation plans represented by the Preponderant Economic Agents to reduce their national participation below fifty percent in the sector where they have been determined to be preponderant;

[Added section DOF 16-07-2025](#)

XXXVII. To fix and adjust, with the approval of the Ministry of Finance and Public Credit, the rates for the services it provides, which shall be published in the Official Gazette of the Federation, and

[Added section DOF 16-07-2025](#)

XXXVIII. The others conferred on it by this and other laws.

[Added section DOF 16-07-2025](#)



## Chapter II Composition and Attributions of the Board

### Section I Of the Composition of the Board

[Amended section DOF 16-07-2025](#)

**Article 13.** The Commission will guarantee the separation between the unit that hears the investigation procedures and the Board, which will resolve these procedures.

[Amended paragraph DOF 16-07-2025](#)

#### ***Repealed***

[Repealed paragraph DOF 16-07-2025](#)

**Article 13 Bis.** The Board of the Commission is the governing body of the Commission, which is made up of five Commissioners, including the Presiding Commissioner.

Such Commissioners shall be appointed in a staggered manner by the head of the Federal Executive and ratified by the vote of the majority of the members present of the Senate of the Republic or, in its recesses, by the Permanent Commission, within a non-extendable period of thirty calendar days from the presentation of the proposal.

The Commissioners shall remain in office for seven years, which may not be extended, and for no reason may they hold that office again.

The Commissioner President of the Commission shall be appointed by the head of the Federal Executive from among the Commissioners for a period of three years, renewable for a single occasion.

When the appointment falls on a Commissioner who concludes his or her mandate before said period, he or she shall serve as Chair only for the time remaining to complete his or her term as a Commissioner.

Applicants to be Commissioners must meet the following requirements:

- I. Be a Mexican citizen and be in full enjoyment of their civil and political rights;
- II. Be at least thirty-five years of age on the day of the appointment;



- III. Have a good reputation and not have been convicted of an intentional crime that merits a prison sentence of more than one year;
- IV. Having a professional degree, legally issued in their favor;
- V. To have worked for at least eight years in professional, public service or academic activities related to matters related to those of economic competition;
- VI. Not have held a position as head of a Secretariat of State, the Attorney General's Office, senate, federal or local deputy, Governor of any State or Head of Government of Mexico City or any position in political parties, during the three years prior to their appointment, and
- VII. Not have held, in the last five years, any job, position or managerial function in companies that have been subject to any of the sanctioning procedures that have been substantiated by the body referred to in this Law.

For the purposes of ratification by the Senate of the Republic, the corresponding appearances of the proposed persons shall be discharged, guaranteeing the publicity and transparency of their development.

If the Senate of the Republic does not approve two successive appointments with respect to the same vacancy, the head of the Federal Executive shall make a third appointment on a permanent basis.

In the event of the absolute absence of a Commissioner, the head of the Federal Executive shall send a proposal for appointment within a period of no more than three months from the absence, for which the corresponding appointment shall be made through the procedure provided for in this article, so that the new Commissioner may conclude the respective period or begin his or her mandate. as appropriate.

[Article added DOF 16-07-2025](#)

**Article 13 ter.** When the Commissioners are about to conclude the period for which they have been appointed, the Presiding Commissioner, three months in advance, must notify the head of the Federal Executive of this circumstance.

[Article added DOF 16-07-2025](#)



**Article 13 quarter.** The Commissioners shall refrain from performing any other public or private employment, work, or commission, apart from teaching positions.

[Article added DOF 16-07-2025](#)

**Article 14. *Repealed***

[Article repealed DOF 16-07-2025](#)

**Article 15. *Repealed***

[Article repealed DOF 16-07-2025](#)

**Article 16. *Repealed***

[Article repealed DOF 16-07-2025](#)

**Article 17. *Repealed***

[Article repealed DOF 16-07-2025](#)

## **Section II Powers of the Board**

**Article 18.** The Board shall deliberate in a collegiate manner and shall decide cases by a majority of votes, except for decisions that require a qualified majority under the terms of this Law.

The deliberations of the Board must have the votes of all the Commissioners. The Commissioners may not abstain from voting. Commissioners who are absent during Board sessions shall cast their vote in writing before the session or within five days following the respective session.

In cases where the Commissioners are unable to exercise their vote for duly justified reasons or are prevented from doing so, and there is a tie in the vote of the Board, the Presiding Commissioner will have a casting vote to decide these cases

The sessions of the Board will be of a public nature, through the stenographic version that will be published on the Commission's Internet site, except for those portions in which topics with Confidential or Reserved Information are discussed. Only that declared as such will be considered Confidential Information under the assumptions established in this Law and other applicable provisions. The Board must justify and motivate the resolution in which it determines that a session will not be public.

[Amended paragraph DOF 16-07-2025](#)



The Commission shall make public the position of each of the Commissioners on the matters listed on the agenda, which shall be written in citizen language, which shall contain a description of the facts of each matter in question, as well as the direction of the vote and the reasoning that supports it.

[Amended paragraph DOF 16-07-2025](#)

The agreements and resolutions of the Board will also be of a public nature and only the parts that contain Confidential or Reserved Information will be reserved, under the terms established in this Law and other applicable provisions.

The Board is responsible for exercising the powers indicated in sections II, VI, VIII, IX, X, XI, XII, XIII, XIV, XV, XVII, XVIII, XIX, XX, XXIII, XXIV, XXV, XXXI, XXXII, XXXIII, XXXIV and XXXVI of Article 12 of this Law, and the other powers expressly granted to the Board in this Law. The powers indicated in Article 12, section II, when they derive from the procedure provided for in Article 94 of this Law; as well as those provided for in sections XVII, XXII, XXXII and XXXIII, may only be exercised by the Board when they are resolved with the affirmative vote of at least four Commissioners.

[Amended paragraph DOF 16-07-2025](#)

The Board shall determine in the organic statute the direct exercise or by delegation of the powers provided for in Article 12 of this Law that are not included in the cases indicated in the previous paragraph.

The organic statute of the Commission shall establish the powers to be exercised by the various units of the Commission, which shall be under the command and supervision of the Board or the Presiding Commissioner, as the case may be.

**Article 19.** The Presiding Commissioner shall preside over the Board and the Commission. In the event of absence, the Commissioner with the most seniority and, with the same seniority, the oldest will replace him.

[Amended article DOF 16-07-2025](#)



**Article 20.** The Presiding Commissioner is responsible for:

[Amended paragraph DOF 16-07-2025](#)

- I. To function as the legal representative of the Commission with general and special powers for acts of administration and ownership, lawsuits, and collections, including those that require a special clause in accordance with the Law;
- II. To grant powers of attorney in the name of the Commission for acts of ownership, administration, lawsuits and collections and to be represented before any administrative or judicial authority, before labor courts or before individuals; as well as to agree on the delegation of the corresponding powers, in the terms established by the organic statute. In the case of acts of ownership over real estate intended for the Commission or to grant powers of attorney for such purposes, the prior authorization of the Board will be required;  
[Amended section DOF 16-07-2025](#)
- III. To direct and administer the human, financial and material resources of the Commission and to report to the Board on the progress of the administration in the terms determined by the organic statute;
- IV. To participate with the representation of the Commission in forums, meetings, events, conventions, and congresses held with national organizations, when they refer to issues within the scope of competence of the Commission, in accordance with the provisions of this Law, or to designate representatives for such purposes, keeping the Board informed about such activities;
- V. To convene and conduct the sessions of the Board;
- VI. To execute the agreements and resolutions adopted by the Board;
- VII. To report to the head of the Federal Executive of the vacancies that occur in the Board, for the purposes of their appointment;  
[Amended section DOF 16-07-2025](#)
- VIII. To propose annually to the Board the preliminary draft budget of the Commission for its approval;  
[Amended section DOF 16-07-2025](#)



- IX. To submit for approval by the Board, within the month of January of each year, the draft of the annual work program of the Commission and quarterly the draft activity reports;
- X. To receive from the head of the Internal Control Body the reports of the reviews and audits conducted to verify the correct and legal application of the resources and assets of the Commission and to bring them to the attention of the Board
- XI. To submit to the consideration of the Board any matter within the competence of the Commission, and
- XII. The others conferred on it by this Law, the organic statute, the Board, and the other applicable provisions.

**Article 21.** Once their term of office has been completed, for a period equivalent to one third of the time they exercised their function, the Commissioners may not serve as directors, administrators, directors, managers, directors, executives, agents, representatives or attorneys-in-fact, of an Economic Agent who has been subject to any of the procedures provided for in this Law during the performance of their duties.

### **Section III Causes of Removal**

**Article 22.** The Commissioners will be subject to impeachment in terms of Title Four of the Political Constitution of the United Mexican States and Title Two of the Federal Law on the Responsibilities of Public Servants.

**Article 23.** The head of the Federal Executive may remove the Commissioners from their office, for the following serious causes:

[Amended article DOF 16-07-2025](#)

- I. The performance of any job, position, or commission, other than those proper to his position as Commissioner and except for teaching positions;
- II. To deal with matters within its competence with persons representing the interests of Economic Agents outside the cases provided for in this Law;





- III. Participate in campaign events of political parties on behalf of the Commission;
- IV. Failing to comply with the final agreements of the Board;
- V. To use, for their own benefit or that of third parties, the Confidential or Reserved Information available to them by reason of their position, as well as to disclose the aforementioned information in contravention of the Law;
- VI. Refrain from resolving matters within its competence without justified cause and repeatedly, within the time limits provided for in this Law;
- VII. Knowingly submitting false or altered information to the Board's consideration to influence its decision, and
- VIII. Not to excuse themselves from hearing and voting on matters in which they have a direct or indirect interest.

***Repealed***

[Repealed paragraph DOF 16-07-2025](#)

***Repealed***

[Repealed paragraph DOF 16-07-2025](#)

Removal shall require the vote of most of the members present of the Senate of the Republic or, in its recesses, of the Permanent Commission.

[Amended paragraph DOF 16-07-2025](#)

## **Section IV Prohibitions**

**Article 24.** Commissioners shall be prevented and must immediately excuse themselves from hearing matters in which there are one or more situations that prevent them from resolving a matter within their competence with full independence, professionalism, and impartiality. For the purposes of the foregoing, the Commissioners shall be prevented from hearing about a matter in which they have a direct or indirect interest.

[Amended paragraph DOF 16-07-2025](#)

A direct or indirect interest shall be deemed to exist when a Commissioner:

[Amended paragraph DOF 16-07-2025](#)



- I. Is related in a direct line without limitation of degree, in the collateral by consanguinity up to the fourth degree and in the collateral by affinity up to the second, with one of the interested parties or their representatives;
- II. Has a personal, family, or business interest in the matter, including those from which some benefit may result to the Commissioner, his or her spouse, or his or her relatives in the degrees expressed in section I of this article;  
[Amended section DOF 16-07-2025](#)
- III. The Commissioner, his or her spouse or any of his or her relatives in a direct line without limitation of degree, is the heir, legatee, donee, or guarantor of any of the persons concerned or their representatives, if they have accepted the inheritance, legacy, or gift;  
[Amended section DOF 16-07-2025](#)
- IV. Has been an expert, witness, attorney-in-fact, employer, or defender in the matter in question, or has previously managed the matter in favor of or against any of the interested parties, and
- V. Has publicly and unequivocally fixed the direction of its vote before the Board resolves the matter.

Only those listed in this article may be invoked as grounds for impediment to hearing matters before the Commission. Under no circumstances may recusal be decreed for the expression of a technical opinion, or for publicly explaining the grounds and reasons for a resolution issued by the Commission or for having cast a dissenting vote.

The Commissioners shall excuse themselves from hearing the cases in which any of the impediments indicated in this article arise as soon as they become aware of their impediment, specifically stating the cause of the impediment on which it is based, in which case the Board shall qualify the excuse, without the need to give intervention to the Economic Agents with an interest in the matter.

[Amended paragraph DOF 16-07-2025](#)

**Article 25.** Apart from the hearings provided for in the procedures established in this Law, the Commissioners may discuss matters within their competence with persons representing the interests of the Economic Agents, only by means of an interview.



To this end, all the Commissioners must be summoned, but the interview may be held in the presence of only one of them.

A record shall be kept for each interview which shall contain at least the place, date, start time and end time of the interview; the full names of all the people who were present at the meeting and the topics discussed.

The interviews shall be recorded and stored in electronic, optical or any other technology, and shall be kept confidential information, except for the other parties to the proceeding in the form of a trial, the other Commissioners, the head of the Internal Control Body, and the Senate of the Republic in the event that it is conducting proceedings for the removal of a Commissioner.

[Amended paragraph DOF 16-07-2025](#)

The recording of each interview must be available to the other Commissioners.

[Amended paragraph DOF 16-07-2025](#)

Commissioners may not be challenged by the statements they make during the interviews unless they are found to violate the principle of impartiality. Where appropriate, the challenge must be qualified by the Board.

[Amended paragraph DOF 16-07-2025](#)

The provisions of this article shall be without prejudice to the participation of the Commissioners in public forums and events.

[Amended paragraph DOF 16-07-2025](#)

The Board will issue the other contact rules applicable to the Investigative Authority in the organic statute.

### **TITLE III OF THE INVESTIGATIVE AUTHORITY**

#### **Chapter I Its Integration and Operation**

**Article 26.** The Investigative Authority is the organ of the Commission responsible for conducting the investigation phase and is a party to the proceedings in the form of a trial. In the exercise of its powers, the Investigative Authority shall be endowed with technical and managerial autonomy to decide on its operation and resolutions.



**Article 27.** The Investigative Authority shall have a head who shall represent it and shall have the organizational structure, personnel, and resources necessary for the fulfillment of its purpose, which shall be subject to the provisions of the Commission's organic statute.

## **Chapter II Of its Attributions**

**Article 28:** The Investigative Authority shall have the following powers:

- I. To receive and, where appropriate, process or reject as manifestly inadmissible complaints or requests in terms of Articles 94 and 96 of this Law that are submitted to the Commission for probable violations of this Law or restrictions on the efficient functioning of the market;  
[Amended section DOF 16-07-2025](#)
- II. Conduct investigations into probable violations of this Law, as well as the procedures provided for in Articles 94 and 96 of this Law, for which it may require necessary reports and documents, carry out inspection procedures, conduct surveys or collect data through any tool, summon to testify those related to the matters and, where appropriate, carry out dawn raids;  
[Amended section DOF 16-07-2025](#)
- II Bis. Participate in the procedure followed in the form of a trial, in terms of this Law and its Regulations  
[Added section DOF 16-07-2025](#)
- II Bis 1. To process the corresponding stages of the procedure provided for in Article 141 of this Law, in accordance with the provisions of the Organic Statute;  
[Added section DOF 16-07-2025](#)
- III. Request from any Public Authority or authority abroad regarding the information and documentation it requires to inquire about violations of this Law;
- IV. Issue certified copies or conduct comparisons of documents or information to integrate them into the files;



- V. To provide the information required by any administrative or judicial authority, as well as by the Board, in the latter case, except in the case of ongoing investigations;
- VI. To issue the opinion of probable responsibility and to act and discharge the requirements that correspond to it in the stages of that procedure;
- VII. To file complaints with the Office of the Attorney General of the Republic regarding probable criminal conduct in matters of free competition and economic competition and, where appropriate, to be an adjuvant during the investigations arising from the complaints;
- VIII. To ensure the application and compliance with this Law, its Regulatory Provisions, and the organic statute of the Commission;
- IX. To obtain statements from witnesses or Economic Agents, and other necessary means of conviction, for which it may request the assistance of the Public Authorities;
- X. To assist the Board in the preparation of Regulatory Provisions, as well as the draft guides, guidelines and technical criteria referred to in this Law  
[Amended section DOF 16-07-2025](#)
- XI. To process the Qualification Procedure, within the scope of its competence;  
[Amended section DOF 16-07-2025](#)
- XII. To process the procedures provided for in Articles 100, 102 and 103 of this Law, within the scope of its powers;  
[Added section DOF 16-07-2025](#)
- XIII. To process incidents that may arise from the exercise of its powers, in terms of the provisions of this Law and its Regulations, and  
[Added section DOF 16-07-2025](#)
- XIV. To exercise the other powers established in this Law, its Regulations, the Regulatory Provisions and in the organic statute of the Commission.  
[Added section DOF 16-07-2025](#)



**Article 29.** To conduct its functions, the Investigative Authority may apply separately or indistinctly the enforcement measures established in this Law, as appropriate.

[Amended article DOF 16-07-2025](#)

### **Chapter III**

#### **Of their Appointment and Removal**

**Article 30.** The head of the Investigative Authority shall be appointed and removed by the Board of the Commission by a majority of three Commissioners, with the favorable vote of the Presiding Commissioner being necessary.

[Amended article DOF 16-07-2025](#)

**Article 31.** The head of the Investigative Authority shall hold office for four years, and may be re-elected only once, after an objective evaluation of his or her performance.

[Amended paragraph DOF 16-07-2025](#)

To be the head of the Investigative Authority, the following requirements must be met:

- I. To be a Mexican citizen, in full enjoyment of their civil and political rights;

[Amended section DOF 16-07-2025](#)

- II. To be at least thirty years of age on the date of the appointment;

[Amended section DOF 16-07-2025](#)

- III. Possess, on the date of the appointment, a professional title issued by an authority or institution legally empowered to do so;

[Amended section DOF 16-07-2025](#)

- IV. Have a good reputation and have not been convicted of an intentional crime that merits a prison sentence of more than one year;

- V. Have at least five years of experience in public service;

[Amended section DOF 16-07-2025](#)

- VI. To have performed, for at least eight years, in an outstanding manner in professional, public service or academic activities related to matters related to those of economic competition;

[Amended section DOF 16-07-2025](#)



- VII. Not have held any job, position or managerial function or have represented in any way the interests of any Economic Agent who has been subject to any of the procedures provided for in this Law during the three years prior to their appointment.

Once his or her mandate has been completed, for a period equivalent to one third of the time in which he or she has exercised his or her function, the head of the Investigative Authority may not serve as a director, administrator, director, manager, director, executive, agent, representative or attorney-in-fact of an Economic Agent who has been subject to any of the procedures for which he or she is responsible during the performance of his or her responsibility.

Failure to comply with this provision shall be sanctioned in terms of Article 8 of the Federal Law on Administrative Responsibilities of Public Servants.

**Article 32.** The head of the Investigative Authority may be removed from office by the Board for the following reasons:

[Amended paragraph DOF 16-07-2025](#)

- I. Failing to comply with the final resolutions of the Board;
- II. To refrain from resolving matters within its competence without justified cause within the time limits provided for in this Law;
- III. Knowingly submitting false or altered information to the consideration of the Board, and
- IV. Seriously or repeatedly failing to comply with the obligations of their office.

For the purposes of this article, it is considered a serious cause to systematically fail to comply with this Law or to procure undue benefits for oneself or for third parties.

The foregoing is regardless of the responsibilities referred to in Title Four of the Political Constitution of the United Mexican States and the Federal Law on Administrative Responsibilities of Public Servants.

**Article 33.** In the performance of his or her duties, the head of the Investigative Authority shall be independent in his or her decisions and functioning, professional in his or her performance and impartial in his or her



actions, subject to the principles of legality, objectivity, certainty, honesty, thoroughness and transparency, as well as to the rules of contact established in the organic statute.

[Amended article DOF 16-07-2025](#)

## **Chapter IV**

### **Responsibility of the Head of the Investigative Authority**

[Amended Chapter DOF 16-07-2025](#)

**Article 34.** When complaints or denunciations are filed against the head of the Investigative Authority, the Internal Control Body shall decide only when the processing of the cases to which the complaints refer has been completed.

[Amended article DOF 16-07-2025](#)

**Article 35.** For the purposes of this Law, in addition to the assumptions established in the Federal Law on Administrative Responsibilities of Public Servants, the head of the Investigative Authority may be removed from office for the following reasons of administrative responsibility:

[Amended paragraph DOF 16-07-2025](#)

- I. Participate in campaign events of political parties on behalf of the Commission;
- II. Use, for their own benefit or that of third parties, the Confidential Information available to them by reason of their position;
- III. Knowingly submitting false or altered information to the consideration of the Board, and
- IV. Knowingly contravening the provisions of the Board on the rules of contact.

## **Chapter V**

### **Prohibitions**

**Article 36.** The head of the Investigative Authority shall refrain from performing any other public or private employment, work, or commission, except for teaching positions. Likewise, it shall be prevented and must immediately excuse itself from hearing cases in which there are one or more situations that prevent it from resolving a matter within its competence with full independence, professionalism, and impartiality.





For the purposes of the foregoing, the head of the Investigative Authority shall be prevented from hearing a matter when any of the cases of impediment provided for the Commissioners in this Law are updated.

If the head of the Investigative Authority is prevented from hearing a matter, said person shall be replaced by the public servant indicated in the organic statute of the Commission.

[Amended article DOF 16-07-2025](#)

#### **TITLE IV** ***Repealed***

[Title repealed DOF 16-07-2025](#)

#### **Chapter I** ***Repealed***

[Chapter repealed DOF 16-07-2025](#)

#### **Article 37. *Repealed***

[Article repealed DOF 16-07-2025](#)

#### **Article 38. *Repealed***

[Article repealed DOF 16-07-2025](#)

#### **Chapter II** ***Repealed***

[Chapter repealed DOF 16-07-2025](#)

#### **Article 39. *Repealed***

[Article repealed DOF 16-07-2025](#)

#### **Chapter III** ***Repealed***

[Chapter repealed DOF 16-07-2025](#)

#### **Article 40. *It is repealed.***

[Article repealed DOF 16-07-2025](#)

#### **Article 41. *It is repealed.***

[Article repealed DOF 16-07-2025](#)



**Article 42. *Repealed***

Article repealed DOF 16-07-2025

**Article 43. *Repealed***

Article repealed DOF 16-07-2025

**Chapter IV  
*Repealed***

Chapter repealed DOF 16-07-2025

**Article 44. *Repealed***

Article repealed DOF 16-07-2025

**Article 45. *Repealed***

Article repealed DOF 16-07-2025

**Chapter V  
*Repealed***

Chapter repealed DOF 16-07-2025

**Article 46. *Repealed***

Article repealed DOF 16-07-2025

**TITLE V  
OF THE ADMINISTRATION OF THE NATIONAL ANTIMONOPOLY COMMISSION**

*Amended title DOF 16-07-2025*

**Chapter I  
Budget**

**Article 47.** The Commission shall be subject to the provisions of Article 5, section II, of the Federal Law on Budget and Fiscal Responsibility, and other applicable legal and administrative provisions.

*Amended paragraph DOF 16-07-2025*

**I. *Repealed***

Repealed section DOF 16-07-2025

**II. *Repealed***

Repealed section DOF 16-07-2025

**III. *Repealed***

Repealed section DOF 16-07-2025



**IV. *Repealed***

[Repealed section DOF 16-07-2025](#)

**V. *Repealed***

[Repealed section DOF 16-07-2025](#)

**VI. *Repealed***

[Repealed section DOF 16-07-2025](#)

***Repealed***

[Repealed paragraph DOF 16-07-2025](#)

## **Chapter II Of the Heritage**

**Article 48.** The Commission's assets are made up of:

- I. The movable and immovable property that it acquires for the fulfillment of its purpose, including those that the Federation has destined for such purpose or for its exclusive use;
- II. The resources approved annually for the Commission by the Chamber of Deputies of the Congress of the Union, in the Expenditure Budget of the Federation;
- III. The donations it receives for the fulfillment of its purpose, and
- IV. Income received for any other reason.

The Commission may not have more real estate than is strictly necessary to fulfill its purpose.

## **Chapter III Transparency and Accountability**

**Article 49.** The Commission shall publish a stenographic version of its sessions, and the agreements and resolutions of the Board session on its website and in the Official Gazette of the Federation when so determined by this Law, preserving in all cases the secrecy of investigations and proceedings, confidential information, and reserved information.



The Presiding Commissioner shall appear annually before the Chamber of Senators of the Congress of the Union, in accordance with the provisions of Article 93 of the Political Constitution of the United Mexican States. Likewise, it must submit to the Federal Executive and Legislative Branches the annual work program and a quarterly report on the progress of the Commission's activities, which must be submitted within thirty calendar days after the end of the quarter in question. The annual work program and the quarterly activity report must refer to at least the following elements:

- I. Analysis of the Commission's management, indicating its vision, mission, and objectives, and considering aspects of the performance, performance and efficiency of its action, the challenges faced by the Commission, its financial situation in general, the application of internal controls and measures and compliance with the Regulatory Provisions and its organic statute;
- II. The Commission's performance in relation to its strategic objectives and goals, including an explanation of how the data submitted are verified and validated, as well as independent studies evaluating the Commission's performance, and progress in fulfilling its annual program of work;
- III. A summary of the opinions issued by the Commission, as well as the consultations submitted to it;
- IV. Report on the expenditure corresponding to the immediately preceding fiscal year, including the relevant observations that, if applicable, have been made by the Internal Control Body, and
- V. Report, summary, justification and effects of the procedures and resolutions issued in accordance with Article 94 of this Law.

The annual work program referred to in this Article shall be submitted by 31 January of each year at the latest.

The Commission shall make public its annual work program and its quarterly report on the progress of its activities, subject to the provisions of the Regulatory Provisions.

The provisions of this article shall be without prejudice to the data and reports that the Commission must submit in terms of the Federal Law on Budget



and Financial Responsibility, the Law on Superior Audit of the Federation and other applicable provisions.

#### **Chapter IV Of the Labor Regime**

**Article 50.** The personnel who provide their services in the Commission shall be governed by the provisions of Section B of Article 123 of the Political Constitution of the United Mexican States and the Federal Law of Workers in the Service of the State. Such personnel should be incorporated into the regime of the Institute of Security and Social Services for State Workers.

All public servants who make up the Commission's workforce will be considered workers of trust due to the nature of the functions it performs.

#### **Chapter V Of the Liability Regime**

**Article 51.** Any person who holds a job, position or commission of any nature in the Commission shall be subject to the regime of responsibilities of Title Four of the Political Constitution of the United Mexican States and shall be subject to the sanctions established in the General Law of Administrative Responsibilities and other applicable provisions on the matter.

[Amended paragraph DOF 16-07-2025](#)

The public servants of the Commission shall be subject to the rules of contact determined by the Commission in its organic statute.

### **BOOK TWO OF ANTICOMPETITIVE CONDUCT**

#### **SINGLE TITLE OF ANTICOMPETITIVE CONDUCT**

##### **Chapter I Prohibition of Anticompetitive Conduct**

**Article 52.** Monopolies, monopolistic practices, unlawful mergers, and barriers that, in terms of this Law, diminish, damage, impede or condition in any way free competition or economic competition in the production, processing, distribution or marketing of goods or services are prohibited.



## Chapter II Of Absolute Monopolistic Practices

**Article 53.** Absolute monopolistic practices, consisting of contracts, agreements, arrangements, combinations, or exchanges of information between Economic Agents that are current or potential competitors among themselves, whose object or effect is any of the following, are considered illegal:

[Amended paragraph DOF 16-07-2025](#)

- I. Fixing, raising, agreeing, or manipulating the sale or purchase price of goods or services at which they are offered or demanded in the markets;
- II. Establish the obligation not to produce, process, distribute, market, or acquire more than a restricted or limited quantity of goods or the provision or transaction of a restricted or limited number, volume, or frequency of services;
- III. Dividing, distributing, assigning, or imposing portions or segments of a current or potential market for goods and services, through customers, suppliers, times or determined or determinable spaces;
- IV. Establishing, agreeing, or coordinating positions or abstention in tenders, tenders, auctions, or auctions, and
- V. ***Repealed.***

[Repealed section DOF 16-07-2025](#)

Absolute monopolistic practices shall be null and void, and consequently, shall not produce any legal effect and the Economic Agents who incur in them shall be liable to the penalties established in this Law, without prejudice to the civil and criminal liability that, where appropriate, may result.

## Chapter III Relative Monopolistic Practices

**Article 54.** Relative monopolistic practices are those consisting of any act, contract, agreement, procedure, or combination that:

- I. It falls within any of the cases referred to in Article 56 of this Law;



- II. Conducted by one or more Economic Agents who individually or jointly have substantial power in the same relevant market in which the practice is conducted, and
- III. Has or may have as an object or effect, in the relevant market or in a related market: a) unduly displace other Economic Agents; b) substantially impede the access of other Economic Agents; c) establish exclusive advantages in favor of one or more Economic Agents, or d) unduly limit the ability of other Economic Agents to compete in the markets.

[Amended section DOF 16-07-2025](#)

**Article 55.** The practices will be illegal and will be sanctioned if the assumptions of the previous sections are demonstrated, unless the Economic Agent demonstrates that they generate efficiency gains and favorably affect the process of economic competition and free competition, overcoming their possible anticompetitive effects, and result in an improvement in consumer welfare. Efficiency gains may include any of the following:

- a) The introduction of new goods or services;
- b) The use of balances, defective or perishable products;
- c) Cost reductions resulting from the creation of new production techniques and methods, the integration of assets, increases in the scale of production, and the production of different goods or services with the same factors of production;
- d) The introduction of technological advances that produce new or improved goods or services;
- e) The combination of productive assets or investments and their recovery that improve the quality or expand the attributes of goods or services;
- f) Improvements in quality, investments and their recovery, opportunity and service that have a favorable impact on the distribution chain, and
- g) The others that demonstrate that the net contributions to consumer welfare derived from such practices outweigh their anti-competitive effects.



**Article 56.** The cases referred to in section I of article 54 of this Law consist of any of the following:

- I. Among Economic Agents that are not competitors with each other, the fixing, imposition or establishment of the exclusive marketing or distribution of goods or services, by reason of subject, geographical location or for specific periods, including the division, distribution or assignment of customers or suppliers; as well as the imposition of the obligation not to manufacture or distribute goods or provide services for a specific or determinable time;
- II. The imposition of the price or other conditions that a distributor or supplier must observe when providing, marketing, or distributing goods or services;
- III. The sale or transaction conditional on buying, acquiring, selling, or providing another good or service, normally different or distinguishable or based on reciprocity;
- IV. The sale, purchase, or transaction subject to the condition of not using, acquiring, selling, trading, or providing the goods or services produced, processed, distributed, or marketed by a third party;
- V. The unilateral action consisting of refusing to sell, market or provide certain goods or services available and normally offered to third parties;
- VI. The agreement between several Economic Agents or the invitation to them to exert pressure against an Economic Agent or to refuse to sell, market or acquire goods or services from said Economic Agent, with the purpose of dissuading him from a certain conduct, applying reprisals or forcing him to act in a certain direction;
- VII. The sale below its average variable cost or the sale below its total average cost, but above its average variable cost, if there are elements to presume that it will allow the Economic Agent to recover its losses through future price increases, under the terms of the Regulatory Provisions;
- VIII. The granting of discounts, incentives, or benefits by producers or suppliers to buyers with a requirement not to use, acquire, sell, trade,





or provide the goods or services produced, processed, distributed, or traded by a third party, or the purchase or transaction subject to a requirement not to sell, trade, or provide to a third party the goods or services that are the subject of the sale or transaction;

- IX. The use of the profits that an Economic Agent obtains from the sale, marketing, or provision of a good or service to finance losses due to the sale, marketing, or provision of another good or service;
- X. The establishment of different prices or conditions of sale or purchase for different buyers or sellers located under equivalent conditions;
- XI. The action of one or more Economic Agents whose purpose or effect, direct or indirect, is to increase costs or hinder the production process or reduce the demand faced by another or other Economic Agents;
- XII. The denial, restriction of access or access on discriminatory terms and conditions to an essential input by one or more Economic Agents, and
- XIII. The narrowing of margins consisting of reducing the margin between the price of access to an essential input provided by one or more economic agents and the price of the good or service offered to the final consumer by those same economic agents, using the same input for its production.

For the purposes of investigating and, where appropriate, sanctioning the practices referred to in sections XII and XIII of this Article, the Commission may determine the existence of essential inputs without resorting to the procedure provided for in Article 94 of this Law.

#### **Chapter IV**

##### **Prohibition of Barriers to Free Competition and Economic Competition**

**Article 57.** The Commission shall provide for the prevention and elimination of barriers to free competition and economic competition, in the proportions necessary to eliminate anticompetitive effects, through the procedures provided for in this Law.

#### **Chapter V**

##### **Determination of the Relevant Market, Substantial Power, and Essential Input**



## Section I

### Determination of the Relevant Market

**Article 58.** For the determination of the relevant market, the following criteria must be considered:

- I. The possibilities of substituting the goods or service in question for others, both of national and foreign origin, considering the technological possibilities, the extent to which consumers have substitutes and the time required for such substitution;
- II. The costs of distribution of the good itself; of their relevant inputs; of their complements and substitutes from other regions and abroad, taking into account freight, insurance, tariffs and non-tariff restrictions, the restrictions imposed by economic operators or their associations and the time required to supply the market from those regions;
- III. The costs and probabilities that users or consumers must go to other markets;
- IV. Federal, local, or international regulatory restrictions that limit users' or consumers' access to alternative sources of supply, or suppliers' access to alternative customers;
- V. The others that are established in the Regulatory Provisions, as well as the technical criteria issued for this purpose by the Commission.

## Section II

### Determination of Substantial Power of Attorney or Joint Substantial Power

[Amended section DOF 16-07-2025](#)

**Article 59.** To determine whether one or more Economic Agents have substantial power or joint substantial power in the relevant market, or to rule on conditions of competition, effective competition, existence of substantial power in the relevant market or other issues related to the process of competition or free competition referred to in this or other laws, regulations or administrative provisions, the following elements must be considered:

[Amended paragraph DOF 16-07-2025](#)



- I. Their participation in that market and whether they can fix prices or restrict supply in the relevant market themselves, without the competing agents being able or potentially, to counteract such power.

To determine market share, the Commission may consider sales indicators, number of customers, productive capacity, as well as any other factor it deems relevant;

- II. The existence of barriers to entry and the elements that are likely to alter both these barriers and the supply of other competitors;
- III. The existence and power of its competitors;
- IV. The possibilities of access for the Economic Agent or Agents and their competitors to sources of inputs;
- V. The recent behavior of the Economic Agent or Agents participating in said market, and

**VI. *Repealed***

[Repealed section DOF 16-07-2025](#)

- VII. The degree of positioning of the goods or services in the relevant market;

[Added section DOF 16-07-2025](#)

- VIII. Lack of access to imports or the existence of high costs of entry, and

[Added section DOF 16-07-2025](#)

- IX. The existence of high-cost differentials that consumers may face when going to other providers.

[Added section DOF 16-07-2025](#)

**Article 59 bis.** To determine whether two or more economic agents independent of each other have substantial joint power, the Commission must consider, in addition to what is indicated in the previous article, the following:

- I. If the Economic Agents in question are distinguished from the rest of the Economic Agents participating in the relevant market, considering the factors that promote common incentives or interdependent strategic behavior, or;
- II. That these Economic Agents show similar behavior.



Article added DOF 16-07-2025

### **Section III**

#### **Determination of the Essential Input**

**Article 60.** To determine the existence of essential input, the Commission shall consider:

- I. If the input is controlled by one or more Economic Agents with substantial power or that have been determined as Preponderant;  
[Amended section DOF 16-07-2025](#)
- II. If the reproduction of the input from a technical, legal, or economic point of view by another Economic Agent is not viable;
- III. If the input is indispensable for the provision of goods or services in one or more markets, and has no close substitutes;
- IV. The circumstances under which the Economic Agent came to control the input, and
- V. The other criteria that, where appropriate, are established in the Regulatory Provisions.

## **Chapter VI**

### **Mergers**

#### **Section I**

##### **Definition of Merger**

**Article 61.** For the purposes of this Law, merger is understood to be the merger, acquisition of control or any act by virtue of which companies, associations, shares, social shares, trusts, or assets in general are united that are conducted between competitors, suppliers, customers, or any other economic agents. The Commission shall not authorize or, where appropriate, investigate and sanction concentrations whose object or effect is to reduce, damage or impede competition and free competition with respect to goods or services that are the same, similar, or related.

#### **Section II.**

##### **Unlawful Mergers**



**Article 62.** Concentrations that have the purpose or effect of hindering, diminishing, damaging, or impeding free competition or economic competition are considered unlawful.

### **Section III Merger Assessment**

**Article 63.** To determine whether the merger should not be authorized or should be sanctioned under the terms of this Law, the following elements shall be considered:

- I. The relevant market, in the terms prescribed in this Law;
- II. The identification of the main economic agents that supply the market in question, the analysis of their power in the relevant market, in accordance with this Law, the degree of concentration in said market;
- III. The effects of the merger on the relevant market with respect to other competitors and demanders of the good or service, as well as on other markets and related economic agents;
- IV. The participation of those involved in the merger in other economic agents and the participation of other economic agents in those involved in the merger, provided that such economic agents participate directly or indirectly in the relevant market or in related markets. When it is not possible to identify such participation, this circumstance must be fully justified;
- V. The elements provided by the Economic Agents to prove the greater efficiency of the market that would be achieved because of the merger and that will have a favorable impact on the process of competition and free competition.

[Amended section DOF 16-07-2025](#)

For such purposes, in terms of the Regulatory Provisions issued for this purpose, the Economic Agent must demonstrate that the gains in market efficiency that will be derived specifically from the merger will continuously exceed its possible anticompetitive effects in said market and will result in an improvement in consumer welfare, and

[Paragraph added DOF 16-07-2025](#)



- VI. The other analytical criteria and instruments established in the Regulatory Provisions and the technical criteria.

**Article 64.** The Commission shall consider as indications of an unlawful merger that the merger or attempted merger:

- I. Confers or may confer on the merging company, the acquirer or the Economic Agent resulting from the concentration, substantial power under the terms of this Law, or increases or may increase such substantial power, thereby hindering, diminishing, damaging, or impeding free competition and economic competition;
- II. Has or may have the purpose or effect of establishing barriers to entry, preventing third parties from accessing the relevant market, related markets, or essential inputs, or displacing other Economic Agents;  
[Amended section DOF 16-07-2025](#)
- III. Has or may have the purpose or effect of facilitating the participants in such merger to engage in conduct prohibited by this Law, and in particular, monopolistic practices, or  
[Amended section DOF 16-07-2025](#)
- IV. It has or may have the purpose or effect of affecting the conditions of competition and free competition in the relevant market or related markets.  
[Added section DOF 16-07-2025](#)

#### **Section IV** **Mergers That Cannot Be Investigated**

**Article 65.** Mergers that have obtained a favorable resolution from the Commission may not be investigated on the basis of this Law, except when such resolution has been obtained on the basis of false information or when the resolution has been subject to subsequent conditions and they have not been complied with within the period established for that purpose.

Nor may mergers be investigated if they do not require prior notification to the Commission, once three years have elapsed from their realization.

[Amended paragraph DOF 16-07-2025](#)

### **BOOK THREE**



## PROCEDURES

### TITLE I RESEARCH

#### Single Chapter Research

#### Section I From the beginning of the investigation

**Article 66.** The Commission's investigation shall be initiated ex officio, or at the request of the Federal Executive, by itself or through the Secretariat, the Office of the Attorney General, or at the request of a party, and shall be the responsibility of the Investigative Authority.

Requests for investigation submitted by the Federal Executive, by itself or through the Secretariat or the Attorney General's Office, shall have preference.

**Article 67.** Any person in the case of violations of this Law in absolute monopolistic practices, relative monopolistic practices, or unlawful mergers, may report them to the Investigative Authority.

**Article 68.** The complaint must contain at least:

- I. Name, denomination, or company name of the complainant;
- II. Name of the legal representative, if applicable, and suitable document with which he or she certifies his or her personality; address to hear and receive notifications, and authorized persons, as well as telephones, e-mail or other data that allow their prompt location;
- III. Name, denomination, or company name and, if known, the domicile of the accused;
- IV. A brief description of the facts giving rise to the complaint;
- V. In the case of relative monopolistic practices or unlawful mergers, a description of the main goods or services involved, specifying their use in the market and, if known, the list of the equal, similar or substantially related goods or services of the defendant and the main



Economic Agents that process, produce, distribute or market them in the national territory;

- VI. A list of the documents and evidence accompanying your complaint, which are precisely related to the facts complained of, and
- VII. The other elements that the complainant deems pertinent and, if they do not have them at their disposal, indicate the place or file in which they are located, so that the appropriate information may be provided during the investigation.

**Article 69.** The Investigative Authority shall analyze the complaints submitted and within fifteen days following the day on which it receives them, through the Office of the Parties, shall issue an agreement that:

- I. Order the initiation of the investigation;
- II. Dismisses the complaint, in whole or in part, as being manifestly inadmissible, or
- III. Warn the complainant on a one-time basis, when the requirements provided for in this Law or in the Regulatory Provisions are omitted in his or her complaint, to clarify or complete it within a period of no more than fifteen days, which the Investigative Authority may extend for an equal period, in duly justified cases. Once the prevention has been conducted, the corresponding agreement must be issued within the following fifteen days. If the period has elapsed without the prevention being conducted or without the requirements indicated in this Law for the complaint being complied with, the complaint shall be deemed not to have been filed.

The decision of the Investigative Authority that considers that the complaint has not been filed must be notified to the complainant within fifteen days following the day on which the deadline for the discharge of the prevention has expired, without prejudice to the fact that the complainant may file his complaint again.

If no agreement is issued within the periods, the investigation will be deemed to have begun. In this case, the Investigative Authority, at the request of the complainant or ex officio, must issue the admission agreement.





Once the prevention that, where appropriate, is carried out has been carried out, the requests submitted by the Secretariat that do not comply with the requirements set forth in Article 68 of this Law shall be considered filed only for the purposes that, within a period of no more than thirty days, the Investigative Authority may determine whether, on the basis of additional information, There are sufficient elements to initiate an ex officio investigation for monopolistic practices or unlawful mergers.

Paragraph added DOF 16-07-2025

Within ten days following the end of the period of analysis referred to in the preceding paragraph, if the Investigative Authority considers that there is an objective cause in terms of Article 71 of this Law, it shall issue the corresponding initiation agreement and shall order the publication of the same in the Official Gazette of the Federation. Otherwise, it must notify the Secretariat of the reasons why it is considered that there are insufficient elements to initiate an investigation.

Paragraph added DOF 16-07-2025

**Article 70.** The Investigative Authority shall dismiss the complaint as manifestly inadmissible when:

- I. The facts denounced do not constitute violations of this Law;
- II. It is notorious that the Economic Agent or Agents involved do not have substantial power in the relevant market, in the case of complaints of relative monopolistic practices or unlawful mergers;
- III. The Economic Agent denounced and the facts and conditions in the relevant market that are indicated have been the subject of a prior resolution in terms of Articles 83, 90 and 92 of this Law, except in cases of false information or non-compliance with conditions provided for in the resolution itself;
- IV. Proceedings are pending before the Commission concerning the same facts and conditions in the relevant market, after the summons has been served to the responsible Economic Operator, and
- V. The facts denounced refer to a merger notified in terms of Article 86 of this Law, which has not been resolved by the Commission. However, Economic Agents may assist the Commission by submitting data and documents that they consider pertinent so that they can be taken into consideration when issuing their resolution. The complainant will not



have access to the documentation relating to said merger nor can he challenge the procedure, however, he must be notified of the agreement that has the information glossed in the merger file.

## **Section II Of the Relief of the Investigation**

**Article 71.** To initiate an investigation into monopolistic practices or unlawful mergers, an objective cause will be required.

Any indication of the existence of monopolistic practices or unlawful mergers is an objective cause.

The investigation period shall begin to run from the issuance of the respective initiation agreement and may not be less than thirty or exceed one hundred and twenty days.

This period may be extended up to three times, for periods of up to one hundred and twenty days, when there are duly justified causes for doing so in the opinion of the Investigative Authority.

[Amended paragraph DOF 16-07-2025](#)

**Article 72.** The Investigative Authority may order the joinder of files that are related by reason of the subject matter. Likewise, it may order the opening of new investigations for facts other than those initially investigated, as is most appropriate for the prompt and expeditious processing of the investigations.

**Article 73.** The Investigative Authority may request from any person the reports and documents it deems necessary to carry out its investigations, indicating the nature of the requested person as a defendant or third party intervener; summon to testify those who are related to the facts in question; order and carry out dawn raids where it is presumed that there are elements for the proper integration of the investigation; carry out inspection procedures or collect data through any tool, in order to obtain information for their investigations.

[Amended paragraph DOF 16-07-2025](#)

Persons and Public Authorities shall have a period of ten days to submit the reports and documents required by the Investigative Authority, which, at the request of the persons and Public Authorities requested, may be extended for a single occasion for up to ten more days, if the complexity or volume of the information required so warrants.



In no case do the provisions of this article imply the obligation of the Commission to disclose the lines of investigation or any other information related to the investigation. The character of the person requested or appearing before the court does not prejudice the character that he or she will have later in the investigation, or the procedure followed in the form of a trial.

Paragraph added DOF 16-07-2025

**Article 74.** The Public Authorities shall provide, within the scope of their competence, the assistance required by the public servants of the Investigative Authority for the fulfillment of their powers and application of this Law.

**Article 75.** The Investigative Authority, through its owner, may order dawn raids, which shall be subject to the following rules:

- I. The Investigative Authority shall issue the order for a dawn raid, which shall contain the purpose, scope and duration to which the proceeding shall be limited; the name of the undertaking; the location of the home or addresses to be raided; the name or names of the authorized personnel who will carry it out jointly or separately, as well as the warning that if they do not allow access, obstruct the discharge of the proceeding or refuse to provide the information or documents requested, the enforcement measures established by law will be applied;
- II. The Investigative Authority shall conduct dawn raids to obtain data and documents related to the investigation.

The practice of dawn raids may not exceed two months, which may be extended for up to another equal period, if justified by the investigation;

- III. Dawn raids shall be conducted on working days and hours only by the personnel authorized for their relief, after identification and presentation of the respective dawn raid order to the person who is at home at the time of the dawn raid.

The Investigative Authority may authorize non-working days and hours to initiate or continue a dawn raid that began on working days and hours, in which case the official letter by which the dawn raid has been ordered shall express the corresponding authorization;



- IV. The company, its officials, representatives, or those in charge of the facilities or establishments of the Economic Agents will be obliged to allow the practice of such diligence by granting the facilities to the personnel authorized by the Investigative Authority, who will be empowered to:
- a) Access to any office, premises, land, means of transportation, computer, electronic device, storage device, filing cabinets or any other means that could contain evidence of the performance of the acts or facts that are the subject of the dawn raid;
  - b) To verify the books, documents, papers, files, or information, whatever their material support, relating to the economic activity of the raided entity;
  - c) Make or obtain copies or extracts, in any format, of such books, documents, papers, files, or information stored or generated by electronic means;
  - d) Secure all books, documents, and other means of the Economic Agent during the time and to the extent necessary for the practice of the dawn raid, and
  - e) Request from any official, representative or member of the staff of the Economic Agent, explanations of facts, information or documents related to the object and purpose of the dawn raid and record their responses.

The information obtained by the Commission from dawn raids may only be used for the purposes of this Law.

For the effective performance of the dawn raid, the Investigative Authority may authorize the public servants who conduct the dawn raid to request the immediate assistance of the security forces.

In no case may the authority seize or seize information of the undertaking.

The personnel authorized by the Investigative Authority to carry out dawn raids, during the development of the proceedings, may take photographs or video films or reproduce by any means papers, books, documents, files and information generated by any technology or



material support and that are related to the subject matter of the procedure. The photographs taken, the videos filmed, and any other element of information collected in terms of this article may be used by the Investigative Authority as elements with full probative value.

When sealing and securing offices, premises, books, documents and other means of the Economic Agent, the public servants who carry out the diligence may seal and mark them, as well as order that they be kept in deposit at the expense of the undertaking or the person with whom the diligence is understood, after an inventory is carried out for that purpose.

When a document or object insured in accordance with the preceding paragraph is indispensable for the development of the activities of the Economic Agent, its use or extraction shall be permitted, after reproduction of the information it contains by authorized public servants.

In the dawn raids, care shall be taken not to affect the capacity of production, distribution and marketing of goods and services, to avoid damage to the Economic Agent or the consumer.

If the undertaking, its officials or those in charge of the establishments, do not allow access to the personnel authorized to carry out dawn raids, or do not provide the information and documents requested, or if in any way there is opposition to the carrying out of the dawn raid, this circumstance shall be recorded in the respective minutes and the facts attributed to the possible offender in the finding of probable responsibility shall be presumed to be true. Without prejudice to the application of the measures of coercion that are deemed appropriate and the criminal liability that they may incur;

- V. The undertaking subject to the dawn raid shall have the right to make observations to the authorized public servants during the practice of the proceeding, which shall be recorded in the minutes. Likewise, he may offer evidence in relation to the facts contained therein, or make written use of such a right within five days following the date on which it has been raised;
- VI. A record of any dawn raid shall be drawn up in which the facts or omissions known to the authorized personnel shall be recorded in detail. The report shall be drawn up by the authorized personnel in the



presence of two witnesses proposed by the person with whom the proceeding was understood or designated by the authorized public servants who carried it out if the latter has refused to propose them, stating this circumstance.

If the dawn raid is conducted simultaneously in two or more places, a detailed report must be drawn up in each of them. In this case, the presence of two witnesses will be required in each establishment where the report is drawn up, in terms of the previous paragraph.

The minutes shall state:

- a) Name, denomination, or company name;
- b) Time, day, month, and year in which the proceeding begins and ends;
- c) Street, exterior, and interior number, neighborhood, town, state, and zip code where the place where the dawn raid is located; and if this is not possible, record the data that identifies the place where the diligence is conducted;
- d) Number and date of the official letter ordering the dawn raid;
- e) Purpose of the dawn raid;
- f) Name and identification data of the personnel authorized to conduct the dawn raid;
- g) Name and position or employment of the person with whom the proceeding was understood;
- h) Name and address of the persons who served as witnesses;
- i) Mention of the opportunity given to the undertaking to exercise the right to make observations to public servants during the practice of the proceeding, insertion of the statements that he or she makes, if any, and of the evidence he or she offers;
- j) A detailed account of the facts relating to the proceedings and a mention of whether documents or information have been reproduced, photographs taken, video filming or other evidence



collected during the proceedings. Where appropriate, such elements must be attached to the corresponding minutes;

- k) Mention of the opportunity given to the undertaking to make clarifications or observations on the minutes drawn up within a period of five days from its completion, and
- l) Name and signature of those involved in the proceeding and, where appropriate, the indication that the undertaking refused to sign the report;

**VII.** Before the dawn raid is conducted or during its practice, the Investigative Authority may request assistance from the agencies and entities of the Federal Public Administration in technical or specific matters for the relief of the dawn raid.

A copy of the record drawn up shall be left with the person with whom the proceeding was understood, even if he or she has refused to sign it, a circumstance that shall not affect its validity.

**Article 76.** The information and documents obtained by the Investigative Authority in the exercise of its powers shall be considered as reserved, confidential, or public under the terms of this Law.

**Article 77.** At any time, the Investigative Authority may file a complaint or complaint with the Office of the Attorney General of the Republic regarding probable criminal conduct in matters of free competition and economic competition and, where appropriate, be an intervener during the investigations arising from the complaint or complaint.

If the investigation reveals evidence that presumes an affectation that causes damage to consumers, the Attorney General's Office shall be given a view of the probable liability opinion for the purposes to which it may be applicable.

Once the opinion of probable responsibility is issued, it is considered that the Investigative Authority has knowledge of the probable violating conduct and of those who committed it, for the purposes of the provisions of Article 107 of the Federal Criminal Code.

Paragraph added DOF 16-07-2025



The Commission shall issue Regulatory Provisions detailing the criteria and assumptions in which a complaint for the crime provided for in Article 254 Bis of the Federal Criminal Code shall be filed with the Office of the Attorney General of the Republic.

Paragraph added DOF 16-07-2025

## **Section II Bis Of the Qualification Procedure**

Section added DOF 16-07-2025

**Article 77 Bis.** Economic Agents may request the Commission to exclude from the corresponding procedure the information and documents that they have provided or that the Commission has obtained containing communications with their lawyers for the purpose of obtaining legal advice.

The procedure shall be conducted in accordance with the procedure provided for in this Law and its Regulations, and the corresponding investigation or procedure shall be suspended until the request referred to in the preceding paragraph is resolved.

The Commission shall establish in its organic statute the characteristics of the qualifying committees responsible for processing and resolving the requests made by the Economic Agents.

The Commission will only consider as information subject to the protection established in this article, which is exchanged with a lawyer with whom the applicant Economic Agent does not have an employment relationship.

Once the request has been resolved, if the Commission determines that it was submitted for the sole purpose of delaying the corresponding procedure, it may impose the sanctions provided for in Article 127, section III, of this Law.

Article added DOF 16-07-2025

**Article 77 Bis 1.** The qualification procedure will be processed in accordance with the following:

- I. Once the request has been received, it shall be forwarded to the Investigative Authority or the Body in charge of the investigation, as appropriate, for it to issue an agreement forwarding it to the corresponding qualifying committee.





- II. The Qualification Committee shall analyze the application within fifteen days following the date on which it is notified of the agreement referred to in the previous section and shall issue an agreement that:

- a) Admit the request, or
- b) Warn the applicant only once, when the application document omits any of the requirements provided for in the Regulations.

If the period for responding to the prevention has elapsed without the requirements established in the Regulations being discharged or complied with, the application shall be deemed not to have been submitted, without prejudice to the fact that it may be submitted again on a single occasion within ten days from the day following the day on which the notification of the non-submission agreement takes effect.

- III. Once the notification of the admission agreement takes effect, the Qualifying Committee will deliberate in a collegiate manner and will decide by majority vote whether the information analyzed is subject to exclusion in terms of Article 77 Bis of this Law.

[Article added DOF 16-07-2025](#)

### **Section III**

#### **Conclusion of the Investigation**

**Article 78.** Once the investigation has been concluded, the Investigative Authority, within a period of no more than thirty days, shall submit to the Board an opinion proposing:

[Amended paragraph DOF 16-07-2025](#)

- I. The initiation of the procedure in the form of a trial, because there are objective elements that make it probable that the responsibility of the economic agent or agents under investigation is probable, or
- II. The closure of the file if no elements emerge to initiate the procedure in the form of a trial.

In the case provided for in section I, within a period of ten days following the date on which the Investigative Authority has submitted the corresponding opinion, the Board shall order the initiation of the procedure followed in the form of a trial by summoning the probable perpetrators.



[Amended paragraph DOF 16-07-2025](#)

In the case of section II, the Board shall decree the closure of the file within ten days following the date on which the Investigative Authority has submitted their respective opinion.

[Amended paragraph DOF 16-07-2025](#)

**Article 79.** The report must contain at least the following:

- I. The identification of the Economic Agent or Agents under investigation and, where appropriate, of the probable perpetrator or perpetrators;
- II. The facts investigated and their probable object or effect on the market;
- III. The evidence and other elements of conviction that are in the investigation file and its analysis, and
- IV. The elements that support the meaning of the opinion and, where appropriate, the legal provisions that are considered to have been violated, as well as the consequences that may derive from such violation.

## TITLE II OF THE PROCEDURE FOLLOWED IN THE FORM OF A TRIAL

### Chapter I Procedure

#### Section I Of the Site

**Article 80.** The procedure shall begin with the summons to the probable perpetrator or persons, with the opinion of probable liability referred to in Article 79 of this Law.

**Article 81.** The parties to the procedure followed in the form of a lawsuit are the Economic Agent against whom the opinion of probable liability is issued and the Investigative Authority.



**Article 82.** Whoever filed the complaint that initiated the investigation shall be an adjuvant of the Investigative Authority in the procedure followed in the form of a trial, under the terms determined by the organic statute.

## **Section II**

### **Relief of the Procedure**

**Article 83.** The procedure followed in the form of a trial will be processed in accordance with the following:

- I. Once summoned, the probable responsible party will have access to the file and a period of forty-five days, which cannot be extended, to state what is convenient to his right, to attach the documentary evidence in his possession and to offer the evidence that merits some relief.

The party summoned must refer to each of the facts expressed in the opinion of probable responsibility. Facts about which he does not make any statement shall be deemed to be true, unless proven otherwise. The same shall apply if he does not submit his response within the period indicated in the previous paragraph;

- II. With the statements of the probable perpetrator, the Investigative Authority shall be given a hearing so that, if it deems it necessary, it may rule on the arguments and evidence offered within a maximum period of ten working days;

[Amended section DOF 16-07-2025](#)

- III. After the period established in the previous section, it shall be agreed, where appropriate, to reject or admit evidence and the place, day and time for its discharge shall be set. The evidence shall be presented within a period of no more than twenty days from the date of admission.

All means of evidence are admissible, except confessional and testimonial evidence by authorities. Those that are not offered in accordance with the law, have no relation to the facts that are the subject of the proceeding, as well as those that are unnecessary, unlawful or with respect to which the fact or facts that are to be demonstrated with each of them have not been clearly expressed will be discarded;

[Amended section DOF 16-07-2025](#)



- IV. Once the evidence has been unburdened and within the following ten days, the Commission may approach and order the release of evidence to better provide or summon for arguments, under the terms of the following section;
- V. Once the presentation of evidence has been concluded, the Commission shall summon the parties to the final oral hearing, so that, where appropriate, they may make the statements they deem pertinent and formulate the corresponding arguments before the Board, and  
[Amended section DOF 16-07-2025](#)
- VI. The file shall be understood to be integrated on the day following the final oral hearing referred to in the previous section. Once the file has been integrated, it will be rotated by agreement of the Presiding Commissioner to the reporting Commissioner, on a rotating basis, strictly following the order of designation of the Commissioners, as well as the chronological order in which the file was integrated, who will have the obligation to present the draft resolution to the Board for approval or modification.  
[Amended section DOF 16-07-2025](#)

In the latter case, the reporting Commissioner will incorporate into the project the modifications or corrections suggested by the Board.

***Repealed***

[Repealed paragraph DOF 16-07-2025](#)

The Commission shall issue a decision within a period not exceeding thirty days

[Amended paragraph DOF 16-07-2025](#)

### **Section III Evaluation of Evidence**

**Article 84.** The Commission enjoys the widest freedom to make the analysis of the evidence, to determine the value of the evidence, one against the other, and to determine the result of that evaluation.

The Commission's assessment of the evidence must be based on the overall assessment of the direct, indirect, and circumstantial evidence that appears in the proceedings.



## **Chapter II Of the Final Resolution**

**Article 85.** The final resolution must contain at least the following:

- I. The assessment of the means of conviction conducive to whether the realization of the monopolistic practice or unlawful merger is accredited;
- II. In the case of a relative monopolistic practice, the determination that the Economic Agent responsible or Agents have substantial power in terms of this Law;
- III. The determination of whether to order the definitive suppression of the monopolistic practice or unlawful merger or its effects or the determination to carry out acts or actions the omission of which has caused the monopolistic practice or unlawful merger, as well as the means and deadlines for proving compliance with such determination before the Commission, and
- IV. The determination on the imposition of sanctions.

## **TITLE III OF THE PROCEDURE IN THE NOTIFICATION OF MERGERS**

### **Chapter I Merger Notification Procedure**

**Article 86.** The following mergers must be authorized by the Commission before they take place:

- I. When the act or succession of acts that give rise to them, regardless of the place of their execution, import in the national territory directly or indirectly, an amount greater than the equivalent of sixteen million times the daily value of the Unit of Measurement and Updating in force;  
[Amended section DOF 16-07-2025](#)
- II. When the act or succession of acts that give rise to them, involve the accumulation of thirty percent or more of the assets or shares of an Economic Agent, whose annual sales originating in the national territory or assets in the national territory amount to more than the equivalent



of sixteen million times the daily value of the Unit of Measurement and Update in force, or

[Amended section DOF 16-07-2025](#)

- III. When the act or succession of acts that give rise to them involve an accumulation in the national territory of assets or share capital greater than the equivalent of seven million four hundred thousand times the daily value of the Unit of Measurement and Updating in force and two or more Economic Agents whose annual sales originated in the national territory or assets in the national territory jointly or separately participate in the merger, amount to more than forty million times the daily value of the current Unit of Measurement and Update.

[Amended section DOF 16-07-2025](#)

Acts conducted in contravention of this article shall not produce legal effects, without prejudice to the administrative, civil, or criminal liability of the Economic Agents and of the persons who ordered or assisted in the execution, as well as of the notary publics who have intervened in them.

Acts relating to a merger may not be registered in the corporate books, formalized in a public instrument or registered in the Public Registry of Commerce until the favorable authorization of the Commission is obtained or the period referred to in Article 90, section V, has elapsed, without the Board having issued a resolution.

The Economic Agents involved who are not in the cases established in sections I, II and III of this article may voluntarily notify the Commission.

**Article 87.** Economic Agents must obtain authorization to conduct the merger referred to in the previous article before any of the following cases occur:

- I. The legal act is perfected in accordance with the applicable legislation or, where appropriate, the suspensive condition to which said act is subject is fulfilled;
- II. De facto or de jure control over another Economic Agent is acquired or exercised, directly or indirectly, or assets, participation in trusts, shares or shares of another Economic Agent are acquired in fact or in law;



- III. A merger agreement is signed between the Economic Agents involved, or
- IV. In the case of a succession of acts, the last of them is perfected, by virtue of which the amounts established in the previous article are exceeded.

Mergers arising from legal acts conducted abroad must be notified before they have legal or material effects in national territory.

**Article 88.** The Economic Agents who participate directly in it are obliged to notify the merger.

When those directly involved are unable to notify, either due to a legal or factual impossibility and prove this to the Commission, or in the case provided for in Article 92 of this Law, the merging party, the one that acquires control of the companies or associations, or the one that intends to carry out the act or produce the effect of accumulating the shares, may do so. shares, participation in trusts or assets subject to the transaction.

In their notification letter, the notifiers must appoint a common representative, unless they are unable to do so for duly justified reasons. If they do not present justified cause to refrain from appointing the common representative, the Commission shall appoint him or her ex officio.

Those involved in the transaction must refrain from exchanging information that could give rise to acts that are subject to sanction in terms of this Law.

**Article 89.** The notification of merger shall be made in writing and shall contain and accompany:

- I. Name, denomination, or company name of the Economic Agents that notify the merger and of those who participate in it directly and indirectly;
- II. Where applicable, the name of the legal representative and the document or instrument containing the powers of representation in accordance with the formalities established in the applicable legislation. Name of the common representative and address to hear and receive notifications and authorized persons, as well as the data that allow their prompt location;



- III. Description of the merger, type of operation and draft of the legal act in question, as well as draft of the clauses by virtue of which they are obliged not to compete if they exist and the reasons why they are stipulated;
- IV. Documentation and information explaining the objective and reason for the merger;
- V. The articles of incorporation and its amendments or certification of the statutes of the Economic Agents involved;
- VI. The financial statements of the Economic Agents involved for the immediately preceding fiscal year;
- VII. Description of the structure of the capital stock of the Economic Agents involved in the merger, whether Mexican or foreign companies, identifying the participation of each partner or direct and indirect shareholder, before and after the merger, and of the persons who have and will have control;
- VIII. Mention of the Economic Agents involved in the transaction that have a direct or indirect participation in the share capital, in the administration or in any activity of other Economic Agents that produce or market goods or services that are the same, similar or substantially related to the goods or services of the Economic Agents participating in the merger;
- IX. Data on the market share of the Economic Agents involved and their competitors;
- X. Location of the plants or establishments of the Economic Agents involved the location of their main distribution centers and the relationship that they have with said Economic Agents;
- XI. Description of the main goods or services produced or offered by each Economic Agent involved, specifying their use in the relevant market and a list of similar goods or services and the main Economic Agents that produce, distribute or market them in the national territory, and
- XII. The other elements that the Economic Agents who notify the merger deem relevant for the analysis of the same.





The documents referred to in section II above shall be presented either in notarial testimony or a certified copy.

**Article 90.** For the discharge of the notification procedure, the following shall apply:

- I. When the notification does not meet the requirements referred to in sections I to XII of the preceding article, the Commission, within ten days following the filing of the document, shall warn the notifiers to submit the missing information within a period not exceeding ten days. This period may be extended at the request of the notifier in duly justified cases;
- II. If the prevention is not discharged within the term provided for in the previous section, the Commission, within ten days following the expiration of the term, shall issue and notify the resolution by which it determines the non-submission of the notification of merger;
- III. The Commission may request additional data or documents within the following fifteen days from the receipt of the notification, which the interested parties must provide within the same period, which may be extended in cases duly justified by the applicant.

The Commission may require such additional information as it deems necessary for the merger analysis. When the additional information is not submitted within the period provided for in the preceding paragraph, the merger shall be deemed not to have been notified, and the Commission shall issue and notify the promoter of the respective agreement within ten days following the expiration of said period.

The Commission may request additional information to that indicated from other Economic Agents related to the merger, as well as from any person, including the notifiers and any Public Authority, the reports and documents that it deems relevant to carry out the analysis of the mergers in terms of this Title, without this meaning that it gives them the status of party to the procedure.

The requirements indicated in the previous paragraph will not suspend the deadlines for resolving the notification. The requested parties must submit the requested information within ten days following the notification of the request, which may be extended for a period equal to the request of the requested party and when justified by the latter;



- IV. If the terms referred to in sections I and III above have elapsed, without the Commission issuing and notifying the agreement that considers a merger not to have been notified, the procedure shall continue its proceedings;
- V. The Commission will have a period of thirty days from the receipt of the notification or, where appropriate, the additional documentation requested, to issue its resolution. If the period has elapsed without a resolution being issued, it will be understood that the Commission has no objection to the notified merger.

[Amended section DOF 16-07-2025](#)

In mergers in which the Commission considers that there are possible risks to the process of competition and free competition, the Commission shall notify the notifiers at least ten days prior to the date on which the matter is listed, so that they may present conditions that allow the indicated risks to be corrected.

The Commission's resolution may authorize, object to or make the authorization of the merger subject to the fulfilment of conditions aimed at preventing effects contrary to free competition and the competition process that may arise from the notified merger;

In the case of a succession of acts, the Commission shall carry out an analysis of the entire succession of acts giving rise to the merger and, if objected, may order the necessary measures to guarantee the protection of free competition and economic competition, including the restitution of things to the state in which they were before the succession of acts was carried out.

[Paragraph added DOF 16-07-2025](#)

- VI. In In exceptionally complex cases, the Commission may extend the time limits referred to in sections III and V of this article, for up to twenty additional days.

[Amended section DOF 16-07-2025](#)

Notwithstanding the foregoing, the term provided for in section V of this Article may not be extended in those cases in which the Federal Executive has previously brought to the attention of the Commission a matter relevant to the national interest and there is a pronouncement in accordance with Article 110 Bis of this Law.



Paragraph added DOF 16-07-2025

- VII. For the purposes of the provisions of sections III and V of this article, it is understood that the notification has been received and the agreement of receipt for processing has been issued:
- a) On the day of the filing of the notification document, when the Commission has not notified the notifiers in accordance with the provisions of section I of this article, or
  - b) On the day of the presentation of the missing information subject to prevention, when the Commission has not issued and notified the promoter of the agreement that considers the merger not notified under the terms of the provisions of section II of this article;
- VIII. The favorable resolution of the Commission shall not prejudice the performance of monopolistic practices or other anticompetitive conduct that, under the terms of this Law, diminishes, damages, or impedes free competition or economic competition, and therefore does not relieve the Economic Agents involved of other responsibilities.

The favorable resolution of the Commission will be valid for six months, extendable for a single occasion for justified reasons.

The notifiers may submit from their notification letter and until one day after the matter is listed for a Board session, proposals for conditions to prevent the process of competition and free competition from being reduced, damaged or impeded because of the merger.

If the proposed conditions are not submitted with the notification letter, the period for resolving will be interrupted on the day on which the notifiers submit their proposal for conditions or any modification to them and will count again from its beginning. Notifiers may make modifications or additions to their initial proposal of conditions up to one day after the matter is listed for Board session.

Amended paragraph DOF 16-07-2025

The notifying Economic Agents may withdraw from the procedure until before the beginning of the period established in section V of this article. Once the resolution authorizing the notified merger has been issued or making the authorization subject to compliance with conditions, the right derived from it may be waived. In both cases, ratification before the Commission by the



common representative or whoever has the legal powers to do so will be required.

Paragraph added DOF 16-07-2025

**Article 91.** The conditions that the Commission may establish or accept from the Economic Agents, in terms of the previous article, may consist of:

- I. To conduct a certain conduct or to refrain from carrying it out;
- II. To dispose of certain assets, rights, shares, or shares to third parties;
- III. Modify or eliminate terms or conditions of the acts they intend to celebrate;
- IV. Undertaking to conduct acts aimed at encouraging the participation of competitors in the market, as well as giving access to or selling goods or services to them, or
- V. The others that have the purpose of preventing the merger from reducing, damaging, or impeding competition or free competition.

The Commission may impose or accept conditions which are linked to the correction of the effects of the merger. The conditions imposed or accepted must be proportionate to the correction sought.

**Article 92.** When the notification of the merger is made, the Economic Operators may expressly request the Commission that the procedure be carried out in accordance with the provisions of this Article, for which the applicant Economic Operators must submit to the Commission the information and evidence that demonstrates that it is well known that the purpose or effect of the merger will not be to diminish, damage or impede free competition and economic competition, in accordance with the provisions of this article.

It shall be considered that it is well known that a merger shall not have the object or effect of reducing, damaging or impeding free competition and economic competition, when the acquirer does not participate in markets related to the relevant market in which the merger occurs, nor is it a current or potential competitor of the acquiree and, in addition, any of the following circumstances occur:

- I. The transaction involves the acquirer's participation for the first time in the relevant market. For these purposes, the structure of the



relevant market shall not be modified and shall only involve the total or partial replacement of the Economic Agent acquired by the acquirer;

- II. Prior to the transaction, the acquirer does not have control of the acquired Economic Agent and, with the transaction, the acquired Economic Agent increases its relative stake in it, without this granting it greater power to influence the operation, administration, strategy and main policies of the company, including the appointment of members of the board of directors, directors or managers of the acquired company itself;
- III. The purchaser of shares, shares or participation units has control of a company and increases its relative participation in the share capital of said company, or
- IV. In the cases established by the Regulatory Provisions.

The notification of merger conducted in accordance with the procedure established in this article shall be made in writing and shall contain and accompany the information and documentation referred to in sections I to XII of article 89 of this Law.

Within five days of receiving the notification of the merger, the Commission shall issue the corresponding admission agreement or, in the case of the last paragraph of this article, shall order that the case be inadmissible and that the matter be processed in accordance with Article 90 of this Law.

The Board shall decide whether the merger complies with the assumption of notoriety provided for in this article within a period of no more than fifteen days following the date of the admission agreement. If the period has elapsed without the Board of the Commission having issued a resolution, it will be understood that there is no objection to the merger being conducted.

When, in the opinion of the Commission, the merger is not located in the cases provided for in sections I to IV of this article or the information provided by the Economic Agent is incomplete, the Commission shall issue a decision to receive the merger for processing in accordance with the provisions of Article 90 of this Law.

## **Chapter II**

### **Cases of Exceptions to the Prior Authorization Obligation**



**Article 93.** The authorization of mergers referred to in Article 86 of this Law shall not be required in the following cases:

- I. When the transaction involves a corporate restructuring, in which the Economic Agents belong to the same economic interest group and no third party participates in the merger;
- II. When the holder of shares, shares or participation units increases his relative participation in the share capital of a company in which he has control of the same since its incorporation or commencement of operations, or when the Board has authorized the acquisition of said control and subsequently increases his relative participation in the share capital of the aforementioned company;
- III. When it is the constitution of administration, guarantee or any other type of trust in which an Economic Agent contributes its assets, shares, social parts or participation units without the necessary purpose or consequence being the transfer of such assets, shares, social parts or participation units to a company other than both the settlor and the corresponding trust institution. However, in the event of enforcement of the guarantee trust, notification must be given if any of the thresholds referred to in Article 86 of this Law are updated;
- IV. ***Repealed.***  

[Repealed section DOF 16-07-2025](#)
- V. When the acquirer is an equity investment company and the purpose of the transaction is to acquire shares, bonds, securities, securities or documents with resources from the placement of shares representing the capital stock of the investment company among the investing public, unless as a result of or as a result of the operations the investment company may have a significant influence on the decisions of the Economic Agent concentrated;
- VI. In the acquisition of shares, securities, securities or documents representing the capital stock of companies or whose underlying are shares representing the capital stock of legal entities, and which are listed on stock exchanges in Mexico or abroad, when the act or succession of acts does not allow the buyer to be the owner of ten percent or more of such shares, obligations convertible into shares, securities, securities or documents and, in addition, the purchaser does not have the authority to:



- a) Appoint or revoke members of the board of directors, directors, or managers of the issuing company;
- b) To impose, directly or indirectly, decisions at the general meetings of shareholders, partners, or equivalent bodies;
- c) Maintain the ownership of rights that allow, directly or indirectly, to exercise the vote with respect to ten percent or more of the capital stock of a legal entity, or
- d) Direct or indirectly direct or influence the management, operation, strategy, or major policies of a legal entity, whether through the ownership of securities, by contract, or in any other way;

#### **VII. *Repealed***

[Repealed section DOF 16-07-2025](#)

#### **VIII. In the other cases established by the Regulatory Provisions.**

**Article 93 Bis.** The procedure for verifying compliance with the obligation not to carry out a merger that exceeds the monetary thresholds established in Article 86 of this Law without having previously obtained the authorization of the Commission and, where appropriate, to determine whether any notary public intervened in acts relating to a merger when it had not been authorized, It will be processed ex officio in accordance with the following:

- I. When the Commission becomes aware of objective elements that lead to the assumption of a probable violation in accordance with the first paragraph of this article, it shall follow the procedure provided for in Article 133 of this Law, or
- II. When the Commission becomes aware of any indication that suggests a probable violation in accordance with the first paragraph of this article, it shall issue a decision to open a verification file.

In the case provided for in this section, the Commission shall have a period of one hundred and twenty days from the agreement to open the verification file to make requirements or conduct the proceedings it deems necessary.



At the end of the period referred to in the preceding paragraph, the Commission shall issue a termination agreement and, within the following ten days, shall issue an agreement ordering the closure of the verification file, or initiate the procedure in terms of section I of this article.

The period provided for in Article 65 of this Law shall be suspended with the initiation of the incidental procedure provided for in section I of this article, or with the issuance of the opening agreement referred to in section II of this article.

Article added DOF 16-07-2025

## **TITLE IV OF THE SPECIAL PROCEDURES**

### **Chapter I Investigations to Determine Essential Inputs or Barriers to Competition**

**Article 94.** The Commission shall initiate, ex officio or at the request of the Federal Executive, by itself or through the Secretariat, the investigation procedure when there are elements that lead to the assumption that there are no conditions of effective competition in a market and in order to determine the existence of barriers to competition and free competition or essential inputs that may generate anticompetitive effects. which will be conducted in accordance with the following:

- I. The Investigative Authority shall issue the initiation agreement and shall publish in the Official Gazette of the Federation an extract thereof, which shall identify the market subject to the investigation so that any person may provide information during the investigation. From the publication of the extract, the investigation period shall begin to run, which may not be less than thirty nor exceed one hundred and twenty days. This period may be extended by the Commission up to two times when there are justifiable causes;
- II. The Investigative Authority shall have all the investigative powers provided for in this Law, including requesting the necessary reports and documents, summoning them to testify to those related to the case in question, conducting dawn raids and ordering any diligence it deems appropriate. In the case of essential inputs, the Investigative Authority shall analyze during this investigation all the assumptions provided for in Article 60 of this Law;





- III. Once the investigation has been concluded and if there are elements to determine that there are no conditions of effective competition in the market under investigation, the Investigative Authority shall issue, within forty days following the conclusion of the investigation, a preliminary opinion; otherwise, it will propose to the Board the closure of the file. In the latter case, the Board will issue the closing resolution within fifteen days from the date on which the corresponding proposal has been submitted.

[Amended section DOF 16-07-2025](#)

When issuing the preliminary opinion, the corrective measures considered necessary to eliminate the restrictions on the efficient functioning of the investigated market must be proposed, for which purpose it may request, where appropriate, a non-binding technical opinion from the coordinating agency of the sector or the corresponding Public Authority with respect to such corrective measures.

Where appropriate, the preliminary opinion must be notified to the Economic Agents that could be affected by the proposed corrective measures, including possible barriers to competition or by the regulation for access to the essential input, as well as, where appropriate, to the coordinating agency of the sector or to the corresponding Public Authority;

- IV. Economic Agents who demonstrate that they have a legal interest in the matter may state what is appropriate to their right and offer the elements of conviction they deem pertinent before the Commission, within forty-five days following the day on which the corresponding notification takes effect. After this period, it shall be agreed, where appropriate, to reject or admit evidence and the place, day and time for its discharge shall be fixed;
- V. Once the evidence has been unburdened and within the following ten days, the Commission may order the release of evidence to better provide or summon for arguments, under the terms of the following section;
- VI. Once the evidence has been presented to better provide evidence, the Commission shall set a period of fifteen days in which the corresponding arguments may be formulated in writing.



- VII. The file will be understood to be integrated on the date of expiration of the period for making arguments. The Economic Operator involved may propose to the Commission, on a single occasion, suitable and economically viable measures to eliminate the competition problems identified at any time and even before integration.

Within five days of receipt of the letter proposing measures referred to in the previous paragraph, the Commission may warn the Economic Operator to submit the corresponding clarifications within five days, where appropriate. Within ten days following receipt of the letter of proposal or clarifications an opinion shall be submitted to the Board, which shall rule on the claim of the requesting Economic Agent within the following twenty days.

If the Board does not accept the proposal submitted by the requesting Economic Operator, it must justify the reasons for the refusal and the Commission will issue within five days the agreement to resume the procedure.

Once the file has been integrated, the Board will issue the corresponding resolution within a period of no more than forty days.

[Amended paragraph DOF 16-07-2025](#)

The resolution of the Commission may include:

- a) Recommendations for Public Authorities.

Resolutions in which the Commission determines the existence of legal provisions that unduly prevent or distort free competition and competition in the market, they must be notified to the competent authorities so that, within the scope of their competence and in accordance with the procedures provided for by the legislation in force, they determine what is appropriate. These resolutions must be publicized;

- b) An order to the corresponding Economic Agent, to eliminate a barrier that unduly affects the process of free competition and competition;
- c) The determination of the existence of essential inputs and guidelines to regulate the modalities of access, prices or tariffs,



technical conditions, and quality, as well as the implementation schedule, or

- d) The divestment of assets, rights, shares, or shares of the Economic Agent involved, in the proportions necessary to eliminate the anticompetitive effects, will proceed when other corrective measures are not sufficient to solve the identified competition problem.

The resolution shall be notified, where appropriate, to the Federal Executive and to the coordinating agency of the corresponding sector, as well as to the Economic Agents affected and shall be published in the Commission's media and the relevant data in the Official Gazette of the Federation.

When, in the opinion of the owner of the essential input, the requirements to be considered as such have ceased to be met, he may request the Commission to initiate the investigation provided for in this article, in order for the Commission to determine whether or not those requirements continue to be updated.

If the Commission determines that the good or service does not meet the requirements to be considered an essential input, from that moment on, the resolution issued by the Commission regulating access to it will be null and void.

The resolution relating to the divestment of assets referred to in this article does not constitute the sanction referred to in article 131 of this Law.

In all cases, the Commission must verify that the proposed measures will generate increases in efficiency in the markets, so that these will not be imposed when the Economic Agent with a legal interest in the procedure demonstrates, in due course, that the barriers to competition and the essential inputs generate efficiency gains and have a favorable impact on the process of economic competition and free competition, overcoming their possible anticompetitive effects. and result in improved consumer welfare. Efficiency gains may include those resulting from innovation in the production, distribution, and marketing of goods and services.

The Regulation shall lay down the requirements to be met by applications relating to this Article.

Paragraph added DOF 16-07-2025



When the application does not meet the requirements referred to in this article, within ten days following the submission of the document, the Commission must warn the applicant to submit the missing information within a period not exceeding fifteen days, which may be extended.

[Paragraph added DOF 16-07-2025](#)

Once the prevention that, if any, is carried out has been carried out, the requests submitted by the Secretariat that do not comply with the requirements set forth in the Regulations shall be considered filed only for the purposes that, within a period of no more than thirty days, the Investigative Authority may determine whether, on the basis of additional information, there are sufficient elements to initiate an investigation ex officio.

[Paragraph added DOF 16-07-2025](#)

Within ten days following the end of the period of analysis referred to in the preceding paragraph, if the Investigative Authority considers that there are elements to initiate an investigation, it shall issue the corresponding initiation agreement and the extract thereof shall be ordered to be published in the Official Gazette of the Federation. Otherwise, it must notify the Secretariat of the reasons why it is considered that there are insufficient elements to initiate an investigation.

[Paragraph added DOF 16-07-2025](#)

**Article 95.** Resolutions in which the Commission determines the existence of barriers to competition and free competition or essential inputs shall be notified to the authorities regulating the sector in question so that, within the scope of their competence and in accordance with the procedures provided for by the legislation in force, they may determine what is conducive to achieving conditions of competition.

***Repealed***

***Repealed***

***Repealed***

***Repealed***

[Repealed paragraphs DOF 16-07-2025](#)

## **Chapter II**

### **Procedure for Ruling on Market Conditions**



**Article 96.** When the legal or regulatory provisions expressly prevent the resolution or opinion of questions of effective competition, existence of substantial power in the relevant market or other similar terms, or when the Federal Executive so determines by means of agreements or decrees, the Commission shall issue ex officio, at the request of the Federal Executive, by itself or through the Secretariat, at the request of the coordinating unit of the corresponding sector or at the request of the affected party, the corresponding resolution or opinion, for which the following procedure shall be followed:

- I. In the event of a request from a party or the coordinating authority of the corresponding sector, the applicant must submit the information that allows the identification of the relevant market and the substantial power in the terms set forth in this Law, as well as motivate the need to issue the resolution or opinion. The Regulatory Provisions will establish the requirements for the submission of applications;
- II. Within the following ten days, the initiation agreement will be issued or the applicant will be warned to submit the missing information, which allows the Commission to identify the relevant market and the existence of substantial power, which must be complied with within fifteen days, counted from the time it is notified of the prevention. If the requirement is not met, the application will be considered not to have been submitted;
- III. The Commission shall issue the initiation agreement and shall publish in the Official Gazette of the Federation an extract thereof, which shall contain the market that is the subject of the declaration so that any person may assist in such investigation. The extract may also be disseminated in any other media when the matter is relevant in the opinion of the Commission;
- IV. The investigation period shall begin to run from the publication of the extract and may not be less than fifteen nor exceed forty-five days.

The Commission shall require the necessary reports and documents and shall summon to testify those who are related to the case in question;

- V. Once the relevant investigation has been concluded and if there are elements to determine the existence of substantial power, or that there are no conditions of effective competition, or other similar terms, the Commission will issue a preliminary opinion within thirty days from the issuance of the agreement concluding the investigation, and an



extract thereof will be published in the Commission's media and the relevant data will be published of the opinion in the Official Gazette of the Federation;

- VI. The Economic Agents who demonstrate to the Commission that they have an interest in the matter, may state what is convenient to their right and offer the elements of conviction that they deem pertinent, within twenty days following the publication of the relevant data of the preliminary opinion in the Official Gazette of the Federation;
- VII. Within ten days following the expiration of the period referred to in the previous section, it shall be agreed, where appropriate, to dismiss or admit the means of evidence and the place, day and time for their discharge shall be set;
- VIII. The evidence shall be presented within a period of no more than twenty days from the date of admission;
- IX. The file shall be deemed to have been integrated once the evidence has been uncovered or the period granted for this purpose has expired, and
- X. Once the file has been integrated, the Commission shall issue a resolution or opinion within a period of no more than thirty days, which shall be notified, where appropriate, to the Federal Executive and the coordinating authority of the corresponding sector and published on the Commission's website, as well as publish the relevant data in the Official Gazette of the Federation. The foregoing, so that, where appropriate, the coordinating authority of the sector may establish the corresponding regulation and measures, for which it may request the non-binding opinion of the Commission.

The Commission may extend the periods indicated in sections IV, VIII and X of this article only once and for a term equal to them when there are duly justified reasons for doing so.

**Article 97.** In the case of Article 9 of this Law, the Commission may issue an opinion at the request of the Federal Executive, which shall be substantiated in terms of the preceding article, unless preferential attention is requested, in which case the Commission shall issue it in the shortest possible time, considering the terms provided for in this Law.



### Chapter III

#### Procedure for the Issuance of Opinions or Resolutions in the Granting of Licenses, Concessions, Permits and the Like

**Article 98.** When the Commission, as provided by law or when so determined by the Federal Executive by means of agreements or decrees, or at the request of the latter, by itself or through the Secretariat, issues an opinion or authorization in the granting of licenses, concessions, permits, assignments, sale of shares of concession or permit holder companies, or other similar matters, initiate and process the following procedure:

- I. In the event of a request from a party or the coordinating authority of the corresponding sector, the Regulatory Provisions shall establish the requirements for the submission of the application;
- II. Within the following ten days, the Commission will issue the acceptance or prevention agreement to the Economic Agents so that they submit the missing information and documentation within the same period. Once the prevention has been completed, the Commission shall issue within ten days the agreement that has the missing information or documents submitted. If the prevention is not conducted, the application shall be deemed not to have been submitted, and
- III. The Commission shall issue the opinion within thirty days from the date of the agreement to receive the missing information or documentation. To issue the opinion, Articles 63 and 64 of this Law shall be applicable.

The request for an opinion must be submitted on the date indicated in the call or bases of the corresponding tender. The request for an opinion must always be prior to the submission of the economic offers.

The convener must send to the Commission, before the publication of the tender, the call for tenders, the bidding rules, the draft contracts, and other relevant documents that allow the Commission to know the intended transaction.

The time limits indicated in section III of this article may be extended only once, up to an equal period by the Commission, for duly justified reasons.

When there is no bidding or competition, the Economic Agents shall obtain, before the transaction is conducted or the corresponding administrative act is



issued by the competent authority, the respective resolution by the Commission in terms of this article.

**Article 99.** For the purposes of the preceding article, the following shall apply:

- I. The convener of the tender or competition must send to the Commission, at least thirty days prior to the date of publication of the call, the information referred to in the antepenultimate paragraph of the previous article;
- II. The Commission may request from the convener or bidder the missing or relevant documents or information, to conduct the corresponding analysis, within a period of ten days from the presentation of the information in terms of the previous section;
- III. Within fifteen days following the submission of the information indicated in the preceding sections the Commission shall decide on the measures to protect competition that must be included in the call for tenders, bases and their annexes, and other documents of the tender, and
- IV. The Commission shall agree with the convener on the dates on which the interested parties must submit their requests for opinion, and on which the Commission shall notify its resolution, considering the deadlines indicated in sections II and III of the preceding article.

## **Chapter IV**

### **Procedures for Exemption and Reduction of the Amount of Fines**

**Article 100.** The Economic Agent subject to an investigation for relative monopolistic practice or unlawful merger may, on a single occasion, express in writing his or her willingness to avail himself of the benefit of exemption or reduction of the amount of the fines established in this Law, provided that he or she requests to avail himself of this benefit and submits to the Commission:

[Amended paragraph DOF 16-07-2025](#)

- I. Its commitment to suspend, suppress or correct the corresponding practice or merger, to restore the process of free competition and economic competition, and





- II. The means proposed to suspend, suppress, or correct the relative monopolistic practice or unlawful merger that is the subject of the investigation, which must be legally and economically viable and suitable for that purpose, indicating the deadlines and terms for their verification.

[Amended section DOF 16-07-2025](#)

The Economic Agent who submits the application referred to in this article before the Investigative Authority extends the investigation period provided for in Article 71 of this Law for the third time, may obtain the entire benefit and may close the file without adjudicating any liability.

[Paragraph added DOF 16-07-2025](#)

After the period established in the previous paragraph, the corresponding Economic Agent may only submit his application during the procedure followed in the form of a trial and until before the integration of the file. If the commitments are accepted at this stage, the Commission may impute liability and the Economic Agent will be entitled to a reduction of up to fifty percent of the fine that, if applicable, would have corresponded to him.

[Paragraph added DOF 16-07-2025](#)

In the case provided for in the previous paragraph, the Economic Agent must include in its application, in addition to what is indicated in this Law, the Regulations and the Regulatory Provisions, the recognition of the monopolistic practice or the unlawful merger that has been imputed to it in the corresponding opinion of probable liability.

[Paragraph added DOF 16-07-2025](#)

The Regulations shall establish the procedure according to which the procedure for granting the benefit referred to in this Article shall be conducted.

[Paragraph added DOF 16-07-2025](#)

#### **Article 101. *Repealed***

[Article repealed DOF 16-07-2025](#)

**Article 102.** The resolution referred to in the previous article may decree:

- I. The granting of the benefit of the exemption or reduction of the payment of fines, as appropriate, in terms of Article 100 of this Law, and

[Amended section DOF 16-07-2025](#)



II. Measures to restore the process of free competition and economic competition.

The Board may modify the terms and conditions set forth in the document requesting the benefit referred to in Article 100 of this Law, to ensure that the process of competition and free competition is restored.

The Economic Agents must expressly accept the final resolution in writing, within a period of ten days from the date on which it is notified.

[Paragraph added DOF 16-07-2025](#)

If the Economic Agent in question does not expressly accept the resolution, the proceedings that have been suspended shall be resumed.

Economic Agents may only avail themselves of the benefits provided for in this article, once every five years. This period will be calculated from the acceptance of the Commission's resolution.

The resolution referred to in this article shall be without prejudice to the actions that may be brought by affected third parties who claim damages arising from civil liability for the performance of the relative monopolistic practice or unlawful merger disclosed to the Commission.

[Amended paragraph DOF 16-07-2025](#)

**Article 103.** Any Economic Agent that has incurred or is incurring in an absolute monopolistic practice; has directly participated in absolute monopolistic practices on behalf of or on behalf of legal entities; and the Economic Agent or individual who has contributed, encouraged, induced or participated in the commission of absolute monopolistic practices, may recognize it before the Commission and avail himself of the benefit of the reduction of the penalties established in this Law, provided:

[Amended paragraph DOF 16-07-2025](#)

- I. Is the first among the Economic Agents or individuals involved in the conduct, before an investigation has been initiated in the corresponding market, to provide sufficient evidence in its possession and which it may have and which, in the opinion of the Commission, allows the existence of the absolute monopolistic practice to be presumed;

[Amended section DOF 16-07-2025](#)

- II. Cooperate fully and continuously in the conduct of the investigation and, where appropriate, in the procedure followed in the form of a



trial. The Commission shall issue Regulatory Provisions detailing the requirement set forth in this section, and

[Amended section DOF 16-07-2025](#)

- III. Take the necessary actions to terminate your participation in the practice that violates the law unless the Investigative Authority expressly requests otherwise on a temporary basis.

[Amended section DOF 16-07-2025](#)

Once the requirements established in sections I to III above have been met, the Commission shall issue the appropriate resolution and impose a minimum fine.

[Amended paragraph DOF 16-07-2025](#)

Economic Agents or individuals who only comply with the provisions of sections II and III above, may obtain a reduction of the fine of up to 50, 30 or 20 percent of the maximum allowed, when they provide additional elements of conviction to those already held by the Investigative Authority that allow the presumption of the existence of an absolute monopolistic practice and comply with the other requirements provided for in this article. In determining the amount of the reduction, the Commission shall take into consideration the chronological order in which the application is submitted and the evidence submitted.

[Amended paragraph DOF 16-07-2025](#)

The Commission may revoke the benefit provided for in this article when the Economic Agent or individual fails to comply with the requirements established in sections II or III of this article, in which case it may use the information and evidence presented by the same. The Regulatory Provisions issued for this purpose shall detail the cooperation obligations provided for in this article, and the Regulations shall establish the procedure according to which applications submitted in accordance with this article shall be processed and resolved, as well as for their revocation.

[Paragraph added DOF 16-07-2025](#)

Persons who have participated directly in absolute monopolistic practices, on behalf of or on behalf of the Economic Agents who receive the benefits of the reduction of penalties, may benefit from the same reduction in the penalty that corresponds to them if they comply with the requirements already indicated.

[Paragraph added DOF 16-07-2025](#)



The Commission shall keep confidential the identity of those who intend to avail themselves of the benefits of this article.

[Amended paragraph DOF 16-07-2025](#)

The benefit provided for in this article may only be requested until the publication of the agreement extending the investigation period provided for in article 71 of this Law for the third time.

[Paragraph added DOF 16-07-2025](#)

Economic Agents and individuals who receive any of the benefits established in this article shall not be disqualified in terms of article 127 of this Law and shall not be subject to the exercise of collective actions promoted by the Commission. The foregoing, without prejudice to the actions that may be exercised by third parties.

[Paragraph added DOF 16-07-2025](#)

## **Chapter V**

### **Procedure for Requests for Formal Opinions and General Guidelines on Free Competition and Economic Competition**

**Article 104.** Any Economic Agent may request from the Commission a formal opinion on free competition and economic competition when it refers to the appearance of new or unresolved issues in relation to the application of this law and considers it to be a relevant issue.

The Commission will issue the formal opinion when the following requirements are met:

- I. That the substantive assessment of conduct for the purposes of the application of this Act raises an issue for which the applicable legal framework, including judicial precedents, does not provide any clarification or for which there are no publicly available guidelines, guides, guidelines and technical criteria or general guidance, or precedents in the decision-making practice of the Commission, nor formal and specific opinions on matters of prior free competition and economic competition;
- II. That a preliminary assessment of the particularities and circumstances of the request for an opinion reveals the usefulness of clarifying the new issue by means of a formal opinion, considering the following elements:



- a) The economic importance from the consumer's point of view of the goods and services affected by the agreement or practice;
  - b) The extent to which the conduct referred to in the request for formal opinion reflects or is likely to reflect more widespread economic conduct or usage in the marketplace, or
  - c) The importance of the investments corresponding to the conduct referred to in the request for a formal opinion in relation to the size of the companies concerned;
- III. That the Commission may issue its formal opinion based on the information provided, without the need for it to conduct a further investigation of the facts. However, the Commission may use any additional information available to it from public sources, from previous procedures or from any other source and require the requesting Economic Operator to give a formal opinion on the additional information.

The Commission will not respond to requests for a formal opinion when any of the following circumstances occur:

- a) The questions raised in the application are identical or like issues raised in a case pending before the Commission or a court;
- b) The conduct to which the application relates is under investigation by the Investigative Authority or is pending proceedings before the Commission or a court, or
- c) When the issues raised in the request are hypothetical, and not about real, concrete situations or situations that are no longer applied by the parties. However, Economic Operators may submit to the Commission a request to obtain a formal opinion on issues raised in an agreement or conduct which they have planned, and which is not yet in practice. In such a case, the transaction must have reached a sufficiently advanced stage for the request to be met. These opinions shall not be considered for the purposes of the provisions of section I of this article.

The formal opinion issued will have binding effects for the Commission.



Responses to requests for opinions made by Economic Agents will not be binding when they are raised on situations that are not real and concrete; do not coincide with the facts or data that are the subject of said request; the applicable legislation is modified or the situations that are the subject of the request change, or they refer to issues raised in an agreement or conduct that has been planned and is not yet in practice.

**Article 105.** Economic Operators may request from the Commission a formal written opinion clearly stating:

- I. The identity of the Economic Operators concerned and a contact address for the Commission;
- II. The specific issues on which the opinion is sought;
- III. Complete and comprehensive information on all points relevant to an informed assessment of the issues raised, including relevant documentation;
- IV. A reasoned explanation explaining why the request for a formal opinion raises one or more new issues;
- V. Any other information that allows an assessment to be made in the light of the provisions of this Chapter of this law and a declaration that the conduct to which the request for a formal opinion relates is not pending in proceedings before a court;
- VI. If the request for a formal opinion contains elements that are Confidential Information, a clear indication of such elements in a separate annex and with a reasoned explanation as to why the Commission considers that such information should be treated as confidential, and
- VII. Any other information or documentation relevant to the matter at hand.

**Article 106.** When the Commission receives a request for a formal opinion, it shall be subject to the following:

- I. Within ten days following receipt of the request for formal opinion, the Presiding Commissioner shall convene and submit the request to the



Board. The Board will have a period of five days to decide whether to issue a formal opinion on the request raised, and must notify its resolution to the Economic Agent concerned within an additional period of five days;

- II. Within five days after the Board decides to issue its formal opinion on the request raised, the file will be turned over to the body in charge of the investigation, which may, within the following ten days, request additional information and documentation from the interested party. The Economic Agent requesting the formal opinion must submit the required information and documentation within fifteen days from the request, or present a reasonable explanation of why such information or documentation cannot be submitted;
- III. If the information is not provided within the period provided for in the previous section, the request for a formal opinion shall be deemed not to have been submitted, without prejudice to the interested party requesting an extension of said period or submitting a new request;
- IV. The body in charge of the investigation will integrate the file, and once integrated, it will take turns by agreement of the President to the Reporting Commissioner, on a rotating basis, strictly following the order of appointment of the commissioners, as well as the chronological order in which the file was integrated, who will have the obligation to present the draft formal opinion for discussion within fifteen days from the date on which it was turned over to him the request for a formal opinion or, where appropriate, on the date of integration of the file. The Reporting Commissioner may extend the period referred to in this section for up to an equal period if there is a justified cause for doing so, and
- V. The Board will have a period of ten days to issue the formal opinion on matters of free competition and economic competition that corresponds, counted from the day of the holding of the session in which the Board discusses and approves the corresponding draft formal opinion.

**Article 107.** Economic Agents may withdraw the request for a formal opinion at any time. However, the information provided in the context of such a request shall remain with the Commission, which may use it in subsequent proceedings under this Act.



**Article 108.** The formal opinions on free competition and economic competition issued by the Commission must contain:

- I. A brief description of the facts on which it is based, and
- II. The main legal arguments underlying the Commission's interpretation of the new issues relating to this Act that have been raised in the application.

Formal opinions may be limited to addressing a portion of the issues raised in the application. They may also address additional aspects to those included in the application.

**Article 109.** Formal opinions shall be made public on the Commission's website, safeguarding Confidential Information.

**Article 110.** Without prejudice to the procedure for the issuance of formal opinions, the Commission shall offer general guidance to any natural or legal person, as well as to any Public Authority, in relation to the application of this law, in the terms indicated in the Regulatory Provisions.

## **Chapter VI of the Federal Executive's Notice Procedure**

[Chapter added DOF 16-07-2025](#)

**Article 110 Bis.** At any time, the head of the Federal Executive, through the Secretariat, may notify the Commission regarding matters relevant to the national interest in matters of free competition and economic competition.

In these cases, the Commission will issue an agreement ruling on the question raised within a period of no more than ten working days.

[Article added DOF 16-07-2025](#)

## **TITLE V OF THE GENERAL RULES APPLICABLE TO THE PROCEDURES**

### **Chapter I Of the Representation**

**Article 111.** The representation of the Economic Agents before the Commission must be accredited by means of a notarized testimony or a certified copy of the document or instrument containing the powers to do so, in





accordance with the formalities established in the applicable legislation, which may be submitted with the first document or registered in the register of accredited persons who, where appropriate, established by the Commission.

The Economic Agents or their legal representative may authorize the persons they deem pertinent to receive notifications, conduct promotions, offer means of evidence, attend the presentation of evidence, formulate allegations and, in general, conduct the necessary acts for the proper substantiation of the procedure. The person authorized in these terms may not replace or delegate his authorization.

The Economic Agents or their legal representative may designate persons only to hear and receive notifications and documents and impose themselves on the records of the file, who shall not enjoy the powers referred to in the previous paragraph.

When in their promotion, the Economic Agents do not specify for what purposes they authorize the persons they indicate, it will be understood that they authorize them only for the purposes described in the previous paragraph.

No person may have access to the file who is not authorized or has his or her personality accredited in the file and has been agreed to do so by the Commission, or outside the hours established for the office of the parties.

## **Chapter II**

### **Promotion Requirements before the Commission**

**Article 112.** Performances and promotions must be presented in Spanish and signed by those involved in them. When any of the promoters or persons involved in an action do not know how or cannot sign, they will put their fingerprint in the presence of two witnesses, who must sign them.

Failure to comply with the requirements indicated for promotions in the previous paragraph will result in them being considered not to have been presented.

If a person who has taken part in a proceeding conducted by the Commission refuses to sign or, where appropriate, to affix his or her fingerprint, this circumstance shall be recorded in the minutes drawn up for that purpose. The lack of a signature or fingerprint will not invalidate the proceedings.



**Article 113.** The applicant may submit documents together with his/her application in a language other than Spanish, for which purpose he/she must accompany the translation carried out by an expert translator of the aspects that he/she deems relevant under his/her responsibility, without prejudice to the fact that the Commission may request the applicant to extend or carry out the translation in its entirety by an expert translator. when it deems it appropriate.

The Commission shall not take into consideration the text of documents that are in a language other than Spanish.

The Commission may obtain, in any of the procedures it conducts, documents in a language other than Spanish and attach them to the file together with the translation of the aspects it deems relevant, as the Commission deems appropriate.

Any person who does not speak Spanish may attend the proceedings accompanied by an interpreter, at the expense of the offeror or whoever proposes the discharge of the proceeding. When the declarant so requests, in addition to recording his declaration in Spanish, it may be written in his own language and in the declarant's own handwriting. The interpreter, before conducting his or her assignment, shall protest to do so loyally, and this circumstance shall be recorded in the corresponding minutes.

In the case of unforeseen matters, the provisions of the Regulatory Provisions shall apply.

### **Chapter III**

#### **Deadlines**

**Article 114.** When the deadlines set by this Law, by its Regulations or by the Regulatory Provisions are in days, these shall be understood as working days. With respect to those established in months or years, the calculation will be made from date to date, even considering non-working days.

[Amended paragraph DOF 16-07-2025](#)

When no deadline is specified, five days will be understood for any action.

**Article 115.** The actions will be conducted on working days and hours.

Working days are all those of the year, except Saturdays and Sundays, and those that are declared non-working days in accordance with the corresponding



annual calendar, published in the Official Gazette of the Federation. The days on which work is suspended or when the offices of the authority remain closed, will be considered as non-working days for all legal purposes, except in cases of express authorization for the performance or practice of proceedings.

Working hours for notifying and conducting proceedings are understood to be those that are from seven to nineteen hours. In procedures or formalities conducted by electronic means, as well as for promotions submitted by email, and for the issuance of actions with an electronic signature, twenty-four hours a day will be understood to be working days.

[Amended paragraph DOF 16-07-2025](#)

Non-working days and hours may be authorized to act or for proceedings and notifications to be conducted, when there is a cause that justifies it, stating what this is and specifying the steps to be conducted.

If the proceeding was initiated on a working day and time, it may be conducted until its end, without interruption and without the need for express authorization.

**Article 116.** Promotions and documents must be submitted only to the official office of the Commission within the hours and schedule of work that are published in the Official Gazette of the Federation.

Promotions may be submitted on the day of their expiration after the end of the hours in which the office of the parties must receive documents, by electronic transmission, to the e-mail addresses that are published for this purpose. The system must generate the corresponding acknowledgment of receipt.

Promotions and documents submitted in terms of the previous paragraph are only admissible when the original promotion, its annexes, and the acknowledgement of receipt of the electronic transmission are submitted to the official office of the parties on the business day following the transmission.

It will be sufficient for the electronic transmission to contain the signed promotion, and a detailed list of the documents attached to its promotion in which it explains its content, including the section of its letter to which each of the annexes relates.



Any document that is presented in a manner other than that indicated in this article does not interrupt or suspend the term and will be considered received until it enters the office of the parties.

If the promotion and documents submitted by electronic transmission differ from those presented in the official office of the parties, the promotion and the document will be considered not filed.

## **Chapter IV**

### **Notifications**

**Article 117.** Whoever appears before the Commission, in the first document or in the first proceeding in which he or she intervenes, must designate an address to hear and receive notifications in Mexico City or, as the case may be, at the address of the corresponding representative office of the Commission, if any of the procedures of this Law are processed there.

[Amended paragraph DOF 16-07-2025](#)

It must also indicate the address where the first notification must be made to the person who is interested in being notified of the intervention they must have in the matter. It is not necessary to indicate the address of public servants; they will always be notified at their official residence.

Notifications will be made in terms of the Regulations and Regulatory Provisions.

[Amended paragraph DOF 16-07-2025](#)

All notifications will take effect on the day following the day on which they are made.

[Paragraph added DOF 16-07-2025](#)

## **Chapter V**

### **Proceedings before the Commission by Electronic Means**

**Article 118.** All the procedures referred to in this Law, as well as any application, may be substantiated by electronic means in accordance with the Regulatory Provisions, observing in all cases the principles of digital government and open data, as well as the applicable provisions on electronic signatures.

The Commission, for the purposes of substantiating the acts related thereto, shall authorize the parties that request it to generate an electronic signature in compliance with the requirements established by the Regulatory Provisions.



## **Chapter VI**

### **Of the Obligation to Cooperate with the Commission**

**Article 119.** Any person who has knowledge of or relationship with any fact that the Commission investigates or with the subject matter of its proceedings in progress, has the obligation to provide, within ten days, the information, things, and documents in his possession in the medium that are requested; to appear to testify in the place, date and time on which he is summoned, answering all the questions that are put to him; as well as to allow dawn raids to be carried out.

[Amended paragraph DOF 16-07-2025](#)

In the case of original documents or in certified copy, the requested person may choose to exhibit said documents so that they can be returned to him once the Commission conducts their reproduction and certification.

For the proper discharge of the procedures under its responsibility, the Commission may take precautions and repetitions it deems appropriate, unless otherwise provided.

[Paragraph added DOF 16-07-2025](#)

## **Chapter VII**

### **Resolutions of the Commission**

**Article 120.** The Commission shall adopt its resolutions on the basis of the facts of which it is aware, the information and means of conviction available, when the Economic Agent summoned or the person whose facts are the subject of the investigation, as well as the persons related to them, refuse to provide information or documents, to testify, to facilitate the practice of the proceedings that have been ordered or to hinder the investigation or the respective procedure.

The provisions of this article shall apply without prejudice to the appropriate sanctions.

All final resolutions of the Commission adopted under any of the procedures provided for in this Law shall resolve the issues effectively raised by the Investigative Authority and the Economic Agents.

## **Chapter VIII**



## **Of the Supplementary Status of this Law**

**Article 121.** In matters not provided for in this Law, its Regulations or in the Regulatory Provisions, the Federal Code of Civil Procedure shall be applied supplementarily.

[Amended article DOF 16-07-2025](#)

## **Chapter IX Of the Final Provisions**

**Article 122.** The Commission shall ensure that the proceedings are not suspended or interrupted, for which purpose it shall provide the necessary measures to conclude with the respective resolution. It shall also dictate all the necessary measures to legally channel the procedure. Ex officio or at the request of a party, it may regularize the procedure.

**Article 123.** The Commission may, before issuing a decision terminating the corresponding proceeding, avail itself of the means of conviction that it deems necessary to ascertain the truth about the facts that are the subject of the proceeding in question, provided that the means of proof are recognized by law and have an immediate relationship with the facts that are the subject of the proceeding; the limitations or prohibitions on evidence established in relation to the facts of the proceeding shall not apply to it. Economic Agents.

## **TITLE VI INFORMATION**

### **Single Chapter Information Classification**

**Article 124.** The information and documents that the Commission has obtained directly in the conduct of its investigations and verification proceedings shall be considered as Reserved Information, Confidential Information, or Public Information, in terms of Article 125.

During the investigation, access to the file will not be allowed and, in the aftermath of the procedure, only Economic Agents with a legal interest in it may have access to it, except for information classified as confidential.

Public servants shall be subject to liability in cases of disclosure of the information submitted to them. When there is an order from an authority competent to submit information, the Commission and said authority shall issue



measures that are conducive to safeguarding under the terms of this Law that which is confidential.

**Article 125.** For the purposes of this Law, Confidential Information shall only be such when the Economic Agent so requests, proves that it is of such nature and submits a summary of the information, to the satisfaction of the Commission, to be glossed in the file or the reasons why it cannot make such summary, in which case the Commission may make the corresponding summary.

The Commission shall in no case be obliged to provide the Confidential or Reserved Information, in terms of this Law, nor may it publish it and must keep it with the insurance it has for that purpose.

[Amended paragraph DOF 16-07-2025](#)

The public servants of the Commission shall refrain from publicly pronouncing or disclosing information related to the files or proceedings before the Commission and that causes direct damage or prejudice to those involved, until the Economic Agent under investigation has been notified of the resolution of the Board, preserving at all times the obligations derived from this article.

To this effect, the provisions of Article 10 of the Federal Law on Parastatal Entities shall not be applicable only with respect to Confidential or Reserved information obtained by the Commission in the exercise of its powers.

[Paragraph added DOF 16-07-2025](#)

## **TITLE VII ENFORCEMENT MEASURES AND SANCTIONS**

### **Chapter I Enforcement Measures**

**Article 126.** The Commission, to conduct the functions attributed to it by this Law, may apply separately or indistinctly the following enforcement measures:

[Amended paragraph DOF 16-07-2025](#)

- I. Notice;
- II. Fine up to the amount equivalent to eight thousand times the daily value of the Unit of Measurement and Update, an amount that may be applied for each day that elapses without complying with the order;

[Amended section DOF 16-07-2025](#)



- II Bis.** Fine up to thirty thousand times the daily value of the Unit of Measurement and Update for not attending an appearance, without justified cause, for not answering the questions or positions made, or for answering with ambiguity or evasion;

[Added section DOF 16-07-2025](#)

- II Bis 1.** Fine up to the amount equivalent to two hundred thousand times the daily value of the Unit of Measurement and Update to the Economic Agent that prevents or hinders the development of a dawn raid under the terms indicated in Article 75 of this Law;

[Added section DOF 16-07-2025](#)

- II Bis 2.** Fine up to the amount equivalent to ten thousand times the daily value of the Unit of Measurement and Update for failing to comply with a disqualification order in terms of section X of Article 127, an amount that may be applied for each day that elapses without complying with the order;

[Added section DOF 16-07-2025](#)

- III.** The assistance of the security forces or other authorities, and

- IV.** Administrative arrest for up to 36 hours.

[Amended section DOF 16-07-2025](#)

The Commission may apply the enforcement measures established in this article independently of the corresponding criminal and administrative sanctions. In such a case, it will not be necessary to previously exhaust the measures of coercion contemplated in this same article.

[Paragraph added DOF 16-07-2025](#)

## **Chapter II**

### **Fines and Penalties**

**Article 127:** The Commission may apply the following sanctions:

- I.** To order the necessary measures for the correction or suppression of the monopolistic practice or unlawful merger in question;

[Amended section DOF 16-07-2025](#)

- II.** To order the partial or total divestiture of an unlawful merger in terms of this Law, the termination of control or the suppression of the acts, as appropriate, without prejudice to the fine that may be applicable;





- III. A fine of one to two hundred thousand times the daily value of the Unit of Measurement and Update, for having falsely declared or delivered false information to the Commission, regardless of the criminal liability incurred;

[Amended section DOF 16-07-2025](#)

- IV. Fine of one time the daily value of the Unit of Measurement and Update and up to the equivalent of fifteen percent of the income of the Economic Agent, for having incurred in an absolute monopolistic practice, regardless of the civil and criminal liability incurred;

[Amended section DOF 16-07-2025](#)

- V. A fine of one time the daily value of the Unit of Measurement and Updating and up to the equivalent of ten percent of the income of the Economic Agent, for having incurred in a relative monopolistic practice, regardless of the civil liability incurred;

[Amended section DOF 16-07-2025](#)

- VI. To order measures to regulate access to Essential Inputs under the control of one or more Economic Agents, for having incurred in the relative monopolistic practice provided for in Article 56, section XII of this Law;

- VII. A fine of one time the daily value of the Unit of Measurement and Updating and up to the equivalent of ten percent of the income of the Economic Agent, for having incurred unlawful merger in terms of this Law, regardless of the civil liability incurred;

[Amended section DOF 16-07-2025](#)

- VIII. A fine of fifty thousand times the daily value of the Unit of Measurement and Updating and up to the equivalent of eight percent of the income of the Economic Agent, for having carried out a merger that exceeds the monetary thresholds established in Article 86, without having previously obtained the corresponding authorization.

[Amended section DOF 16-07-2025](#)

The fine established in this section shall be two hundred thousand times the daily value of the Unit of Measurement and Updating and up to the equivalent of fifteen percent of the income of the Economic Agent when the Commission has previously objected to the realization of the corresponding merger.

[Paragraph added DOF 16-07-2025](#)



The foregoing, without prejudice to the possibility of ordering the partial or total divestiture, the termination of control or the suppression of the acts, as appropriate, of the corresponding merger;

[Paragraph added DOF 16-07-2025](#)

- IX.** A fine of one time the daily value of the Unit of Measurement and Updating and up to the equivalent of twelve percent of the income of the Economic Agent, for having failed to comply with the conditions set forth in the resolution of a merger, without prejudice to ordering the divestiture;

[Amended section DOF 16-07-2025](#)

- X.** Disqualification from acting as a director, administrator, director, manager, director, executive, agent, advisor, representative or representative in a legal entity in the market in question for up to a period of five years and fines up to the equivalent of three hundred and fifty thousand times the daily value of the Unit of Measurement and Update, to those who participate directly or indirectly in monopolistic practices or unlawful mergers, on behalf of or on behalf of natural or legal persons;

[Amended section DOF 16-07-2025](#)

- XI.** A fine of one to three hundred thousand times the daily value of the Unit of Measurement and Update, for those who have contributed, encouraged, or induced the commission of monopolistic practices, unlawful mergers, or other restrictions on the efficient functioning of the markets in terms of this Law;

[Amended section DOF 16-07-2025](#)

- XII.** Fine of one time the daily value of the Unit of Measurement and Update and up to the equivalent of twelve percent of the income of the Economic Agent, for having failed to comply with the resolution issued in terms of Article 102 of this Law;

[Amended section DOF 16-07-2025](#)

- XII Bis.** A fine of one time the daily value of the Unit of Measurement and Updating and up to the equivalent of ten percent of the income of the Economic Agent, for failing to comply with the provisions of sections I, II and VIII, third paragraph, of this article. The foregoing regardless of the criminal responsibility incurred, for which the Commission must report such circumstance to the Public Prosecutor's Office;

[Added section DOF 16-07-2025](#)



- XIII. Fines of one and up to the equivalent of two hundred thousand times the daily value of the Unit of Measurement and Update, to notaries public who intervene in acts relating to a merger that exceeds the monetary thresholds established in Article 86, without having previously obtained the corresponding authorization;

[Amended section DOF 16-07-2025](#)

- XIV. A fine of one time the daily value of the Unit of Measurement and Updating and up to the equivalent of twelve percent of the income of the Economic Agent who controls an essential input, for failing to comply with the regulations established with respect thereto and who does not obey the order to eliminate a barrier to competition or to disincorporate assets in terms of Article 94, section VII, of this Law;

[Amended section DOF 16-07-2025](#)

- XV. A fine of one time the daily value of the Unit of Measurement and Update and up to the equivalent of ten percent of the income of the Economic Agent, for failing to comply with the precautionary order referred to in this Law;

[Amended section DOF 16-07-2025](#)

- XVI. Temporary disqualification from participating, directly or through an intermediary, in public procurement procedures for a period that shall not be less than six months nor more than five years, for having incurred in an absolute monopolistic practice in terms of Article 53, section IV, of this Ordinance, regardless of the administrative, civil and criminal liability incurred and the provisions of other regulations, and

[Added section DOF 16-07-2025](#)

- XVII. Fine of one time the daily value of the Unit of Measurement and Updating and up to the equivalent of ten percent of the income of the Economic Agent, for having failed to comply with any of the specific measures imposed by virtue of its determination as preponderant or with the measures established in Article 142 of this Law.

[Added section DOF 16-07-2025](#)

The income referred to in the previous sections will be the cumulative income for the Economic Agent involved in the unlawful conduct, excluding those obtained from a source of wealth located abroad, as well as those taxable if they are subject to a preferential tax regime, for the purposes of the Income



Tax of the last fiscal year in which the respective infraction was incurred. If it is not available, the calculation basis for the previous fiscal year will be used.

The Commission may request from the Economic Agents or the competent authority the tax information necessary to determine the amount of the fines referred to in the preceding paragraph and may use the means of enforcement established by this Law if the person requested is the Economic Agent.

In the event of a repeat offence, a fine may be imposed up to twice that determined by the Commission.

A repeat offender shall be a person who:

- a) Having committed an infraction that has been sanctioned in administrative headquarters, engages in other conduct prohibited by this Law, regardless of its same type or nature;

[Amended subsection DOF 16-07-2025](#)

- b) At the beginning of the second or subsequent proceeding, there is a prior resolution that has caused the status of the administrative proceedings, and

[Amended subsection DOF 16-07-2025](#)

- c) That no more than ten years have elapsed between the initiation of the procedure and the resolution that has caused it to be in administrative headquarters.

[Amended subsection DOF 16-07-2025](#)

In the case of violations of this Law by public servants, the Commission shall send a duly founded and reasoned letter to the competent authority so that, if appropriate, the appropriate administrative liability procedure may be initiated, without prejudice to the criminal liability incurred by the public servant.

The Federal Executive shall execute the fines provided for in this article, as well as those provided for in article 126 of this Law.

In no case shall the Commission administer or dispose of the funds referred to in this article.

**Article 128.** In the case of those Economic Agents who, for any reason, do not declare or have not been determined cumulative income for Income Tax



purposes or the Commission does not have the corresponding information for reasons attributable to the Economic Agent, the following fines will be applied:

- I. A fine of one to three million times the daily value of the Unit of Measurement and Update, for the infractions referred to in sections IV, IX, XIV and XV of Article 127 of the Law;
- II. A fine of one to two million times the daily value of the Unit of Measurement and Update, for the infractions referred to in sections V, VII and XII of Article 127 of the Law, and
- III. A fine of one to one million four hundred thousand times the daily value of the Unit of Measurement and Update, for the infraction referred to in section VIII of Article 127 of the Law.

[Amended article DOF 16-07-2025](#)

### **Chapter III**

#### **Imposition of Sanctions**

**Article 129.** The Commission shall ensure that the fines imposed under this Act are of a deterrent nature.

The Commission shall issue Regulatory Provisions that establish in a clear, transparent, and predictable manner the methodology and criteria for the imposition of fines.

[Amended article DOF 16-07-2025](#)

**Article 130.** In order to individualize the fines as a penalty, it shall be considered, where applicable according to the type of infringement, the seriousness of the infringement, the damage caused, the indications of intentionality, the participation of the infringer in the markets, the size of the market affected, the duration of the practice or merger, as well as its economic capacity; and, where appropriate, the impact on the exercise of the powers of the Commission.

[Amended paragraph DOF 16-07-2025](#)

When appropriate, the Commission may estimate damage to identify the appropriate penalty; on the understanding that this base amount would be one of the various elements that can be taken into consideration in accordance with the previous paragraph. The penalties imposed by the Commission based on Units of Measurement and Update shall be calculated using the daily value of



the Unit of Measurement and Update in force at the time of the conduct being committed.

[Paragraph added DOF 16-07-2025](#)

#### **Chapter IV Of the Sanction of Disincorporation**

**Article 131.** When the infringement is committed by a person who has been previously sanctioned for carrying out monopolistic practices or unlawful mergers, the Commission shall consider the elements referred to in Article 130 of this Law and, instead of the corresponding sanction, may decide on the divestment or disposal of assets, rights, shares or shares of the Economic Agents. in the portions necessary to eliminate anticompetitive effects.

For the purposes of the preceding paragraph, in its resolution, the Commission shall include an economic analysis that justifies the imposition of such measure, indicating the benefits to the consumer.

For the purposes of the provisions of this article, it shall be understood that the offender has been previously sanctioned when:

- I. Resolutions imposing sanctions have been in administrative proceedings, and
- II. At the beginning of the second or subsequent proceeding, there is a prior resolution that has caused status in administrative headquarters, and that no more than ten years have elapsed between the initiation of the procedure and the resolution that has caused status in administrative headquarters.

[Amended section DOF 16-07-2025](#)

[Amended section DOF 16-07-2025](#)

For the purposes of this article, the sanctions imposed for a plurality of monopolistic practices or unlawful mergers in the same proceeding shall be understood as a single sanction.

For the purposes of this article, resolutions issued by the Commission in accordance with the provisions of Article 101 of this Law shall not be considered as sanctions.

Economic Agents will have the right to present alternative disincorporation programs before the Commission issues the respective resolution.



When the Commission orders the divestment or disposal of assets, rights, shares, or shares of Economic Agents, these shall be executed until the amparo proceeding is resolved, if any.

## **Chapter V**

### **Compliance and Execution of Resolutions**

**Article 132.** Incidents relating to the verification of compliance with and execution of the Commission's resolutions, the imposition of sanctions related to non-compliance with the specific measures imposed on the Preponderant Economic Agents, the recusal, the granting of precautionary measures and the reinstatement of orders, as well as any procedural issue ancillary to the main proceeding shall be resolved in accordance with the incidental procedure provided for in this Law and in terms of the provisions of the Regulations. In matters not foreseen, the provisions of the Federal Code of Civil Procedure shall apply.

[Amended paragraph DOF 16-07-2025](#)

Prior to and during the discharge of the established incidental procedure, the Commission may approach and request the information and documents it deems appropriate from the subjects bound by the resolution and from any person who can provide relevant information for the verification of compliance, who must submit the required information within ten days. which can be extended for a single occasion.

[Paragraph added DOF 16-07-2025](#)

**Article 133.** The incident may be initiated ex officio or at the request of the person who proves to have a legal interest. Once the procedure has begun, the Economic Agent in question will be given a hearing so that within a period of five days he may state what is appropriate to his right and, where appropriate, offer evidence. The evidence that has been admitted must be presented within a period of twenty days. After the presentation of evidence, the Commission will grant a non-extendable period of five days for written arguments to be presented.

After the arguments, the Commission will declare the incidental file integrated and the matter will be turned over to the Board to resolve the matter within the following twenty days.

## **TITLE VIII**

### **REPAIR OF DAMAGES**



## **Single Chapter Repair of Damages**

**Article 134.** Those persons who have suffered damages or losses due to a monopolistic practice or an unlawful merger, as well as the Commission, when appropriate, may file individual or collective legal actions in defense of their rights before the specialized courts in matters of economic competition, broadcasting and telecommunications once the Commission has issued the corresponding resolution.

The limitation period for claiming the payment of damages will be counted from the issuance of the resolution by the Commission.

With the final resolution issued in the procedure followed in the form of a trial, the illegality of the actions of the Economic Agent in question will be considered accredited for the purposes of the actions provided for in this article.

[Amended article DOF 16-07-2025](#)

## **TITLE IX PRESCRIPTION AND PRECAUTIONARY MEASURES**

### **Chapter I Precautionary Measures**

**Article 135.** At any time, the Investigative Authority may request the Board to issue the precautionary measures related to the subject matter of the proceeding that it deems necessary to avoid damage that is difficult to repair or to ensure the effectiveness of the outcome of the proceeding and its resolution. Such power includes, but is not limited to:

[Amended paragraph DOF 16-07-2025](#)

- I. Orders to suspend the acts constituting the probable conduct prohibited by this Law;
- II. Orders to do or not to do any conduct related to the subject matter of the complaint or investigation;
- III. Ensure the preservation of information and documentation, and
- IV. Any others that are considered necessary or convenient.





**Article 136. *Repealed***

[Article repealed DOF 16-07-2025](#)

**Chapter II  
Prescription**

**Article 137.** The powers of the Commission to initiate proceedings that could lead to liability and the imposition of sanctions in accordance with this Law shall be extinguished within a period of ten years from the date on which the illegal or unauthorized merger was carried out, or in other cases, from the date on which the conduct prohibited by this Law ceased.

[Amended article DOF 16-07-2025](#)

**TITLE X  
OF THE PREPARATION OF GUIDELINES, GUIDES, GUIDELINES AND TECHNICAL  
CRITERIA**

**Single Chapter  
Procedure for the Preparation of Guidelines, Guides, Guidelines and  
Technical Criteria**

**Article 138.** In the preparation and issuance of the provisions containing the guidelines, guides, guidelines, and technical criteria referred to in Article 12, section XXII, of this Law, the following shall be applied:

- I. The Commission shall order the publication of an extract of the preliminary draft in the Official Gazette of the Federation, and in its entirety on the Commission's Internet site, in order to open a public consultation period for thirty days so that any interested party may submit opinions to the Commission on the respective preliminary draft. Likewise, the opinion of the Federal Telecommunications Institute must be requested and, where appropriate, obtained;
- II. At the end of the period referred to in the preceding section, the Commission shall review the comments received on the preliminary draft and within the following thirty days shall prepare a report with a summary of the comments received, as well as its considerations thereon, the report shall be published on the Commission's Internet site. and
- III. Once the report referred to in the preceding section has been published, the Commission shall have sixty days to issue the guidelines,



guides, guidelines, and technical criteria, an extract thereof which shall be published in the Official Gazette of the Federation and in full on the Commission's website.

The guidelines, guides, guidelines, and technical criteria referred to in this article shall be reviewed at least every five years, in accordance with the provisions of article 12, section XXII, of this Law.

**Article 139.** The Commission may certify, in terms of the Regulations and Regulatory Provisions issued for that purpose, upon payment of fees, those compliance programs implemented by Economic Agents in the prevention and detection of acts in violation of this Law.

The certification issued by the Commission in terms of this article shall be valid for three years. The Commission may assess the existence of a duly certified compliance program as a mitigating circumstance, under the terms established by the Regulations.

[Article added DOF 16-07-2025](#)

## **BOOK FOUR TELECOMMUNICATIONS AND BROADCASTING**

[Book added DOF 16-07-2025](#)

### **SINGLE TITLE**

#### **The Procedures and Powers of the Commission in the Telecommunications and Broadcasting sectors**

[Title added DOF 16-07-2025](#)

#### **Chapter I: Preponderance and Asymmetric Regulation**

[Chapter added DOF 16-07-2025](#)

**Article 140.** The Commission shall determine the existence of Preponderant Economic Agents in the Telecommunications and Broadcasting sectors and shall impose on them the necessary measures to prevent competition and free competition from being affected.

For the purposes of the provisions of this Law, any person who has, directly or indirectly, a national participation of more than fifty percent, measured either by the number of users, shall be considered as a Preponderant Economic Agent, by reason of its national participation in the provision of Broadcasting or Telecommunications services, or by reason of its national participation in the provision of Broadcasting or Telecommunications services. subscribers,



audience, by traffic on their networks or by the capacity used thereof, in accordance with the data provided by the CRT or, where appropriate, the Agency.

The specific measures that, where appropriate, are imposed on the Preponderant Economic Agent will be extinguished in their effects by declaration of the Commission once that, in accordance with this Law, there are conditions of effective competition in the market in question. The foregoing, without prejudice to the powers provided for the Commission in the other procedures provided for in this Law.

[Article added DOF 16-07-2025](#)

**Article 141.** For the determination of an Economic Agent as Preponderant, as well as for the imposition and review of the necessary measures to prevent competition and free competition from being affected, both in the broadcasting and telecommunications sectors, the Commission will follow the following procedure:

- I. The Commission shall notify the corresponding Economic Agent of the draft declaration of preponderance, which shall propose a draft of corrective measures deemed necessary to prevent competition and free competition from being affected. Prior to the issuance of the draft declaration, the Commission shall request from the CRT a technical opinion on the draft corrective measures proposed by the Commission. The CRT will have a period of forty days to present its technical opinion. If the above period has elapsed without the CRT issuing the corresponding technical opinion, the Commission shall continue the corresponding procedure;
- II. The alleged Preponderant Economic Agent will have a period of fifteen working days, counted from the day following the day on which the notification mentioned in the previous section takes effect, to state what is convenient to its right and offer the elements of evidence it deems necessary, which must be related to the draft Declaration of Preponderance. In the event of failure to appear within the period, it will be presumed that there is no disagreement or opposition whatsoever from the alleged Economic Agent with the draft declaration and the file will be immediately turned over to the Board for the issuance of a final resolution;



- III. Once the period established in the previous section has expired, the Commission will rule on the admission of the evidence offered and, where appropriate, will order the opening of a period for its preparation and discharge for a period of up to fifteen working days.

All kinds of evidence shall be received, except confessional and testimonial evidence by authorities, or that which is inadmissible, unnecessary, or contrary to morality and law.

It is the responsibility of the alleged Preponderant Economic Agent to conduct all the necessary diligences and acts so that his evidence is duly discharged within the period, otherwise it will be considered void.

If necessary, a hearing shall be held in which the evidence that by its nature merits it shall be unburdened, which shall be held within the period of fifteen days indicated above.

The opposition to the procedural acts during the procedure must be alleged by the alleged Preponderant Economic Agent within the period of three days following the day in which the action that he considers affects him has been verified, so that it can be taken into consideration in the final resolution.

Once the processing of the procedure is concluded, the alleged Preponderant Economic Agent may make allegations within a period of no more than five working days. Once this last period has elapsed, with or without pleadings, the file will be turned over to resolution;

- IV. If during the investigation the Commission considers that it is necessary to establish as a precautionary measure the specific measures that will be imposed on the alleged Economic Agent, it will order its processing incidentally and will make a final decision.

Prior to the imposition of the specific measures by the incidental route, the Commission will request from the CRT a technical opinion regarding the corrective measures proposed by the Commission.

The CRT will have a period of twenty days to issue its technical opinion. If the above period has elapsed without the CRT submitting the



corresponding technical opinion, the Commission shall continue the corresponding procedure.

In the incident, the alleged Preponderant Economic Agent shall state what is appropriate to his right with respect to the measures that, if any, have been determined, within a period that shall not exceed five working days, counted from the day following the day on which the notification of the opening of the incident takes effect. being able to offer only the evidence that is related to the measures proposed by the Commission.

In the event of not making statements within the aforementioned period, it will be presumed that there is no disagreement or opposition whatsoever with respect to the proposed measures and the incidental file will be considered integrated and will be immediately turned over to the Board for the issuance of the final resolution, and

- V. The Board will have a period of thirty working days to issue the corresponding final resolution.

Such a resolution shall be notified to the Economic Agent, and a public version shall be published in the Official Gazette of the Federation and on the Commission's website. Likewise, the CRT shall be given a view of said resolution, for the legal effects that may be applicable.

The CRT and, where appropriate, the Agency shall provide the information and documents they have for the purposes of the procedure established in this article.

[Article added DOF 16-07-2025](#)

## **Chapter II On Cross Property**

[Chapter added DOF 16-07-2025](#)

**Article 142.** In the case of broadcasting and telecommunications concessionaires serving the same market or area of geographical coverage that, in the opinion of the Agency, prevents or limits access to plural information in such markets and areas, the following shall apply:

- I. The Commission shall indicate to the concessionaire providing the restricted television service in question those news or public interest information channels that it must integrate into its services, to the



extent necessary to ensure access to plural and timely information;  
and

- II. The concessionaire must include at least three channels whose content is produced by independent national programmers whose financing is mostly of Mexican origin, in accordance with the rules issued for this purpose.

[Article added DOF 16-07-2025](#)

**Article 143.** When the concessionaire fails to comply with the provisions of the preceding article, in addition to the penalties provided for in article 127 of this Law, the Commission may impose the following limits:

- I. The national or regional concentration of frequency bands of the radio spectrum intended for the provision of broadcasting services;
- II. To the granting of new concessions of frequency bands of the radio spectrum for the provision of broadcasting services, or
- III. The cross-ownership of companies that control several media outlets that are broadcasting and telecommunications concessionaires that serve the same market or geographical coverage area.

For the purposes of the foregoing, the Commission may request the opinion of the Agency.

[Article added DOF 16-07-2025](#)

**Article 144.** For the imposition of the limits referred to in the preceding article, the Commission shall consider:

- I. The existence of barriers to the entry of new agents and the elements that are likely to alter both these barriers and the supply of other competitors in that market or coverage area
- II. The existence of other means of information and their relevance;
- III. The possibilities of access of the Economic Agent or Agents and their competitors to essential inputs that allow them to offer similar or equivalent services;
- IV. The behavior during the previous two years of the Economic Agent or Agents participating in said market, and



- V. The gains in efficiency that may derive from the activity of the Economic Agent that have a favorable impact on the process of competition and free competition in that market and coverage area.

[Article added DOF 16-07-2025](#)

**Article 145.** If the measures imposed by the Commission in terms of the two preceding articles have not been effective, the Commission shall give notice to the Agency so that, where appropriate, it may order the appropriate measures in terms of the applicable legal provisions.

[Article added DOF 16-07-2025](#)

### Transitory Articles

**First.** This Decree shall enter into force on the day following its publication in the Official Gazette of the Federation, in accordance with the following paragraphs.

The amendments to paragraphs Fifteen to Twentieth of Article 28 of the Political Constitution of the United Mexican States shall enter into force on the day following the day on which the Board of the National Antimonopoly Commission is formed.

**Second.** If the Board of the National Antimonopoly Commission is integrated in accordance with the Third Transitory Article of this Decree, the Federal Economic Competition Commission shall continue in its functions in accordance with the legal framework prior to the entry into force of this Decree.

Proceedings initiated by the Federal Economic Competition Commission and the Federal Telecommunications Institute, the latter exclusively in matters of economic competition, preponderance and cross-participation, prior to the day following the day on which the Board of the National Antimonopoly Commission is formed, shall continue to be processed in accordance with the provisions in force at the time of their initiation. before the administrative units established by the Organic Statute issued for that purpose in accordance with the Ninth Transitory Article.

**Third.** The appointment and ratification of the first Commissioners who will make up the Board of the National Antimonopoly Commission must be conducted in terms of Article 13 Bis of the Federal Economic Competition Law contained in this Decree.



To ensure the staggered tenure of the Commissioners of the National Antimonopoly Commission, the first Commissioners shall conclude their term of office on the same day and month in which they have entered office in the years 2028, 2029, 2030, 2031 and 2032, respectively.

The head of the Federal Executive, when submitting the appointments to the Chamber of Senators, shall indicate the respective periods.

Once the first members of the Board of the National Antimonopoly Commission have been appointed, the head of the Federal Executive shall appoint the first Commissioner President of the National Antimonopoly Commission within a period of no more than ten calendar days.

The Board of the National Antimonopoly Commission shall be deemed to be composed once the five Commissioners have been appointed and ratified, and the head of the Federal Executive has designated the person who will serve as Presiding Commissioner.

The procedure provided for in this Third Transitory Article shall be initiated at the time this Decree enters into force.

**Room.** As of the entry into force of this Decree, the deadlines of all investigation procedures conducted by the Investigative Authority of the Federal Economic Competition Commission and the Federal Telecommunications Institute in accordance with Articles 66 to 79, 94, sections I to III, and 96, sections I to V, are suspended. of the Federal Economic Competition Law in force prior to the entry into force of this Decree.

Within a period of no more than ten calendar days from the entry into force of this Decree, the Investigating Authorities of the Federal Economic Competition Commission and the Federal Telecommunications Institute shall issue an agreement identifying the files whose processing is suspended, which shall be published in the Official Gazette of the Federation.

Such proceedings shall resume on the day following the day on which the Board of the National Antimonopoly Commission is formed.

**Fifth.** As of the entry into force of this Decree, the Federal Economic Competition Commission, the Ministry of Economy, and other agencies of the Federal Public Administration shall initiate the corresponding administrative procedures so that the National Antimonopoly Commission is fully functional once its Board is integrated.





**Sixth.** As of the day following the day on which the Board of the National Antimonopoly Commission is formed, all provisions that are contrary to the provisions of this Decree are repealed.

As of the day following the day on which the Board of the National Antimonopoly Commission is formed, any reference in federal or local regulations to the Federal Economic Competition Commission shall be understood as the National Antimonopoly Commission.

**Seventh.** The legal acts that the Federal Economic Competition Commission has issued prior to the day following the composition of the Board of the National Antimonopoly Commission, as well as any act or authorization issued by the Board of the Federal Economic Competition Commission, will continue to have all their legal effects.

As of the day following the day on which the Board of the National Antimonopoly Commission is formed, the National Antimonopoly Commission shall be replaced in all the rights, obligations and powers of the Federal Economic Competition Commission with respect to any ongoing proceeding that it processes or to which it is a party, whether of a civil nature, criminal, administrative or otherwise.

In the case of legal instruments, agreements, inter-institutional agreements, contracts or equivalent acts entered into by the Federal Economic Competition Commission, they shall be understood as in force and shall be binding on the National Antimonopoly Commission in their terms, without prejudice to the right of the parties to ratify, modify or subsequently rescind those that, as the case may be, correspond.

**Eighth.** The legal acts that the Federal Telecommunications Institute has issued prior to the day following the day on which the Board of the National Antimonopoly Commission is integrated, will continue to have all their legal effects, including, but not limited to, the asymmetrical measures and obligations imposed on the Preponderant Economic Agents.

As of the day following the day on which the Board of the National Antimonopoly Commission is formed, the National Antimonopoly Commission shall be replaced in all the rights, obligations and powers of the Federal Telecommunications Institute, only with respect to any ongoing proceeding in matters of economic competition, preponderance and cross-participation.

**Ninth.** The Organic Statute of the National Antimonopoly Commission and the Regulations of the Federal Economic Competition Law shall be issued within



a period of no more than one hundred and eighty calendar days from the day following the day on which the Board of the National Antimonopoly Commission is formed.

**Tenth.** As long as the adjustments indicated in the Ninth Transitory Article are made and the regulatory provisions of this Law are issued, the Organic Statute, the Regulatory Provisions, Criteria, Guidelines and other regulations issued by the Federal Economic Competition Commission shall continue to apply, insofar as they are not contrary to this Decree.

**Eleventh.** The procedures provided for in Articles 132 and 133 of this Law shall also be applicable with respect to acts issued by the Federal Economic Competition Commission or the Federal Telecommunications Institute, the latter exclusively in matters of economic competition, preponderance, and cross-participation.

**Twelfth.** Once appointed, the Presiding Commissioner shall register the National Antimonopoly Commission in the Public Registry of Decentralized Organizations, in accordance with the provisions of the Federal Law on Parastatal Entities and other applicable regulations.

**Thirteenth.** The head of the Investigative Authority of the Federal Economic Competition Commission will continue in his position as head of the Investigative Authority of the National Antimonopoly Commission.

For the purposes of the foregoing, the period that has lasted in their assignment with the Federal Economic Competition Commission will be taken into consideration to determine the remaining term of their assignment in accordance with Article 31 of the Federal Economic Competition Law.

**Fourteenth.** The National Antimonopoly Commission must have a sufficient budget to fully fulfill its mandate and conduct its functions during the remainder of the fiscal year 2025, in accordance with the provisions of the Eleventh Transitory Article of the Expenditure Budget of the Federation for the Fiscal Year 2025.

The Chamber of Deputies or, as the case may be, the Ministry of Finance and Public Credit, shall allocate the necessary budget to ensure compliance with the powers of the National Antimonopoly Commission during fiscal year 2026 and subsequent years, based on the proposal presented by the National Antimonopoly Commission, within the terms and conditions provided for in the applicable legislation.



**Fifteenth.** The material resources, including the registries, registries, platforms or any electronic system, of the Federal Economic Competition Commission and those of the Federal Telecommunications Institute, exclusively related to the performance of functions in matters of economic competition, preponderance and cross-participation, shall pass to the National Antimonopoly Commission and shall continue to operate and be mandatory under the terms of the provisions that regulate them until the regulations referred to in the Ninth Transitory Article of this Decree are issued.

The National Antimonopoly Commission shall guarantee the confidentiality, safeguarding, and integrity of the confidential information it receives, which shall be safeguarded independently and to which no other body, entity, or agency shall have access.

**Sixteenth.** The Federal Economic Competition Commission shall have at its disposal the financial resources at its disposal, including those contained in its trusts, for the payment of indemnities that include salaries and wages in accordance with the applicable regulations for personnel who are not transferred to the National Antimonopoly Commission, provided that such resources are not committed to the fulfillment of the purposes of the trusts.

The National Antimonopoly Commission shall be part of the structure of the Federal Telecommunications Institute related to the performance of functions in matters of economic competition, preponderance, and cross-participation.

Public servants of the Federal Economic Competition Commission who cease to provide their services in the Federal Economic Competition Commission and who are required to file a declaration of assets and interests, in accordance with the applicable legal provisions, shall do so in the systems enabled for such purposes or in the means determined and in accordance with the regulations applicable to the Federal Public Administration. The foregoing is also applicable to persons who have served as public servants in the Federal Economic Competition Commission who, as of the date of entry into force of this Decree, have yet to comply with said obligation.

Persons who, within the ten calendar days prior to the entry into force of this Decree, have served as public servants of the Federal Economic Competition Commission, including the Commissioners, must submit an administrative record of institutional and individual delivery-reception, as appropriate, to the public servant designated by the competent authority or in the means determined by it and in accordance with the regulations applicable



to the Administration Federal Public Authority, in the systems enabled for such purposes, on the understanding that the delivery that is made does not imply any release of responsibilities that may be determined by the competent authority subsequently.

**Seventeenth.** On the date of the composition of the Board of the National Antimonopoly Commission, the Federal Economic Competition Commission shall report all the available budgetary and financial resources available to it to the Treasury of the Federation, including those derived from the termination of its trusts, mandates or similar contracts, as well as the products and uses derived therefrom. in accordance with the applicable legal provisions.

Likewise, the Federal Economic Competition Commission shall submit to the National Antimonopoly Commission the information and formats necessary to compile the Public Account and other corresponding reports, in accordance with the applicable legal provisions.

The Federal Economic Competition Commission shall conduct the acts and processes necessary to extinguish funds, trusts, mandates, or similar contracts. For these purposes, they shall determine the payment obligations that must be settled from the assets of said trusts, prior to their termination, as well as the remaining resources that must be returned to the Treasury of the Federation by the institution that acts as trustee.

The federal resources referred to in the first paragraph of this Transitory Article shall be concentrated for use in the Treasury of the Federation and shall be allocated by the Ministry of Finance and Public Credit to cover the budgetary allocations necessary for the operation of the National Antimonopoly Commission.

**Eighteenth.** The Internal Control Body of the Federal Economic Competition Commission is extinguished as of the day following the day on which the Board of the National Antimonopoly Commission is integrated. The matters and procedures that are in its charge, as well as the files and files, will be transferred to the Internal Control Body in the Ministry of Economy and will be processed and resolved by said body in accordance with the legal provisions in force at the time of their initiation.

**Nineteenth.** As of the entry into force of this Decree, the heads of the Administration and Finance Units or their equivalents of the Federal Economic Competition Commission, the Federal Telecommunications Institute, and the Ministry of Economy, within the scope of their respective competences, shall



coordinate the process of transfer of human resources. material, financial, budgetary, technological and computer systems in corresponding administrative matters. The foregoing, without prejudice to the coordination that may exist simultaneously between the administrative units with substantive functions concerning computer systems, databases, files, among others.

**Twentieth.** Within a period of no more than one hundred and eighty calendar days from the day following the day on which its Board Session is formed, with the prior authorization of the Ministry of Finance and Public Credit, the National Antimonopoly Commission shall set the rates or determine the consideration derived from the use of the goods and services it provides. by means of an Agreement issued by the Board.

The revenues collected by the National Antimonopoly Commission in respect of rights, as well as those derived from the use of the fixing and adjustment of tariffs for the goods and services it provides, shall contribute to increasing its economic capacity and financing its operation, gradually reducing the need for budgetary resources.

For the purposes of the foregoing, the National Antimonopoly Commission shall consider the amount of its own revenues that it collects during the corresponding fiscal years and request, where appropriate, during the process of integrating the Expenditure Budget of the Federation for each year, the complementary amount that is necessary for the full fulfillment of its mandate.