



EY Law Flash

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New provisions on antitrust matters are published: key considerations that companies should take into account

On July 9, 2025, EY issued an EY Law Flash informing (“EY Alert”)¹ about the approval of a series of reforms in economic competition. Finally, on July 16, the “Decree amending, adding, and repealing various provisions of the Federal Economic Competition Law (“LFCE”) and the Federal Law on State-Owned Entities” (the “Decree”) was published in the Official Federal Gazette (“DOF”), coming into effect on July 17, 2025.

¹ For further reference: [Reforms to the Federal Economic Competition Law | EY México](#)



As previously indicated in the EY Alert, this Decree aims to amend various provisions of the LFCE to align it with the new constitutional legal framework resulting from the administrative simplification reform of 2024, through which the Constitutional Autonomous Organization known as the Federal Economic Competition Commission was abolished, and a new regulatory entity was established under the Ministry of Economy, named the National Antitrust Commission ("CNA" or the "Commission")

In addition to the legal considerations previously identified in the EY Alert, this Decree is of interest to companies seeking to engage in transactional processes, as it reduces the thresholds that trigger the obligation to notify concentrations to the Commission, as follows:

- (i) **Price of the transaction:** which involves, directly or indirectly, an amount equal to or greater than approximately \$1,810,240,000.00 MXN in national territory.
- (ii) **Assets / sales of the target in Mexico:** when the act or succession of acts that gives rise to the transaction involves the accumulation of 35% or more of the assets or shares of an economic agent, whose annual sales generated in national territory or assets in national territory are equivalent to approximately \$1,810,240,000.00 MXN.
- (iii) **Assets / capital stock of the target and assets / sales of the entities involved in the transaction:** when the act or succession of acts that gives rise to the transaction involves an accumulation of assets or stock capital in national territory exceeding approximately \$837,236,000.00 MXN, and the concentration involves two or more economic agents whose annual sales generated in national territory or assets in national territory, jointly or separately, amount to more than \$4,525,600,000.00 MXN.

Additionally, the deadlines for the CNA to respond to a notification of a concentration are reduced by half, with the silence of the CNA being considered an affirmative response. Another change is that the CNA can review the legality of concentration up to three years after its execution; previously, this was a one-year period. When notifying concentration, economic agents must demonstrate that the efficiencies generated in the market will continuously outweigh any potential anticompetitive effects and will result in benefits for the consumer.

In this regard, it is recommended that companies in Mexico understand the scope and legal implications of this Decree in order to identify potential risks and areas of opportunity arising from these modifications. It is also suggested to monitor the changes resulting from the transitional provisions of the Decree related to: (i) the COFECE will continue in its functions until the new Commission is established, under the legal framework prior to the entry into force of the Decree; (ii) until new regulatory laws to the LFCE are issued, the guidelines and provisions that do not substantially oppose the new LFCE will continue to apply; and (iii) as of July 17, 2025, the deadlines for all investigation procedures conducted by the COFECE and the IFT will be suspended until the full Commission is integrated.

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