

April, 2020

COFECE issues resolution extending the suspension of terms for proceedings as a result of COVID-19

On April 17, 2020, the Federal Economic Competition Commission (COFECE) published in the Official Gazette of the Federation, an update to the Resolution initially published on March 24, 2020, which resolved that the terms and deadlines for some of the procedures before COFECE are suspended.

According to the update of the Resolution, COFECE determined that from April 20, 2020 until April 30, 2020 shall be considered working days, but the terms and deadlines for some procedures filed before COFECE will be suspended, without this resulting in the closing of the Commission's offices, which maintain regular business hours implementing the sanitary measures that are applicable and considered relevant.

The suspension of deadlines applies to procedures for investigations of (i) monopolistic practices and (ii) essential inputs or barriers to competition.

With regard to such proceedings, filings received from April 20 to April 30, 2020, as well as filings received from March 23 to April 17, 2020, shall be considered as submitted on May 6, 2020.

The following procedures or stages are exempted from the aforementioned suspension of terms:

1. Procedure for notification of concentrations;
2. The Issuance of Opinions or Resolutions on the Granting of Licenses, Concessions, Permits and Similar;
3. Procedure for Requests of Formal Opinions on Free Access to Markets and Economic Competition;
4. General Guidance in connection with the application of the Federal Economic Competitions Law;
5. The Issuance of Opinions including related to programs, policies, and laws, in aspects of free access to markets and economic competition;
6. Public consultations on COFECE's regulatory provisions;

7. Procedures corresponding to the benefit of reduction of sanctions, as well as the exemption and reduction of fines;
8. The stage following the conclusion of investigations of monopolistic practices or illegal concentrations; and
9. The deadlines for the Plenum of COFECE to issue a resolution in any procedure, provided that the file is already integrated or,, in the case of procedures followed in the form of a trial for monopolistic practices or illegal concentrations, when the oral hearing has already been held or the deadline for requesting such hearing has elapsed.

In the cases listed above, the corresponding deadlines and terms shall run in an ordinary manner, for which all the steps and actions necessary to continue and discharge them shall be taken.

In case you require additional information, please contact the partner responsible of your account or any of the following attorneys:

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