

OCTOBER 10, 2025



REFORM TO THE MEXICAN FEDERAL ECONOMIC COMPETITION LAW: PROPOSED CANDIDATES TO FORM THE BOARD OF COMMISSIONERS OF THE NEW CNA

On October 6, 2025, the President of Mexico submitted to the Senate for ratification her slate of nominees to form the Board of Commissioners (*Pleno*) of the new sole Mexican authority on competition matters, the National Antitrust Commission (the “CNA” or *Comisión Nacional Antimonopolio*) (the “Slate of Nominees”).

The Slate of Nominees stems from the decree dated July 16, 2025, published by the Mexican President in the Official Daily of the Federation (*Diario Oficial de la Federación*), that amends the Mexican Federal Economic Competition Law (“LFCE” or *Ley Federal de Competencia Económica*), as well as the Federal Law of Parastatal Entities (*Ley Federal de las Entidades Paraestatales*) (the “Reform”). The Reform provides for the creation of the CNA, which will assume the powers of the Federal Economic Competition Commission (“COFECE” or *Comisión Federal de Competencia Económica*) and the Federal Telecommunications Institute (“IFT” or *Instituto Federal de Telecomunicaciones*) (in the case of the IFT, only regarding competition matters in the telecommunications and broadcasting sectors), which, in turn, will be eliminated as a result of the Reform.

The Reform entered into force on July 17, 2025 and, under its transitional regime, COFECE and the IFT continue operating under the prior framework until the CNA’s Board of Commissioners is appointed. Once the Senate ratifies the Slate of Nominees and the Mexican President designates the chairperson of the Board of Commissioners, the Board will be considered appointed, and the CNA will commence operations the following day.

1 Changes in the composition of the CNA

The Reform establishes that the CNA's Board of Commissioners will be composed of five commissioners (as opposed to the seven members that currently form COFECE's Board), to be appointed by the Mexican President and ratified by a simple majority of the Senate within a non-extendable period of thirty calendar days from submission of the Slate of Nominees. Notwithstanding this deadline, the Senate is expected to ratify the Slate of Nominees in the coming days. If the Senate were to reject two successive appointments for the same vacancy, the third appointment by the Federal Executive would be final (a scenario that, as noted, is considered unlikely given the expectation of prompt ratification).

The commissioner who chairs the CNA's Board will be appointed by the Mexican President from among the commissioners within ten calendar days following ratification of the Slate of Nominees, for a three-year term, renewable once.

2 Proposed formation of the CNA's Board of Commissioners

Through the Slate of Nominees, the Mexican President designated and submitted to the Senate staggered appointments for five individuals to form the CNA's Board of Commissioners. As outlined below, the proposal combines predominantly legal and economic profiles and includes an academic profile in public policy; and, notably, preserves two continuity profiles originating from COFECE:

- **Andrea Marván Saltiel** (three-year tenure, through 2028) — Lawyer; currently Chairwoman of COFECE's Board of Commissioners, contributing institutional continuity that should facilitate the transition of precedents and practices to the new authority.
- **Ana María Reséndiz Mora** (four-year tenure, through 2029) — M.A. in Economics; currently a Commissioner at COFECE, likewise providing institutional continuity with a technical track record in economic analysis of competition.
- **Óscar Alejandro Gómez Romero** (five-year tenure, through 2030) — M.A. in Economics; until recently, served as Executive Coordinator at the National Commission for Regulatory Improvement (*Comisión Nacional de Mejora Regulatoria*), bringing an economic profile with experience in regulatory improvement and regulated sectors.

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- **Ricardo Salgado Perrilliat** (six-year tenure, through 2031) — Lawyer; currently head of the Legal Affairs Unit of the Federal Administrative Justice Tribunal (*Tribunal Federal de Justicia Administrativa*), with legal and supervisory experience in state bodies.
 - **Haydee Soledad Aragón Martínez** (seven-year term, through 2032) — Ph.D. in Social Science (Sociology); currently Co-Director of the project “Combating the labor exploitation of domestic workers in Mexico” at the American Institutes for Research, contributing an academic and public policy perspective in social and labor matters.

Once the five nominations are ratified by the Senate and the Chairperson is designated, the CNA will begin operations the following day. At that time, suspensions of investigations will be lifted and the institutional subrogation provided in the transitional provisions will take effect, as described below.

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Transitional regime

Under the Reform’s transitional regime, as of the day following the appointment of the CNA’s Board of Commissioners:

- COFECE and the IFT are extinguished, and the CNA begins operations. The CNA is subrogated into all rights, obligations, and powers of COFECE and, with respect to the IFT, solely in matters of economic competition, preponderance and cross participation. Legal acts and authorizations issued by COFECE and the IFT beforehand shall continue to have all their legal effects.
- All provisions that contradict the provisions of the Reform shall cease to have effect, and any reference in federal or local regulations to COFECE shall be understood as a reference to the CNA. In other words, the Reform will be fully in force.
- The suspension of all terms applicable to investigation proceedings conducted by COFECE and the IFT (solely in matters of economic competition, preponderance and cross participation) is lifted. Since the Reform entered into force on July 17, 2025, deadlines in investigations conducted by COFECE and the IFT have been suspended.

Finally, within 180 calendar days following the appointment of the CNA's Board of Commissioners, the Organic Statute of the CNA and the Regulations of the new LFCE shall be issued. In the meantime, COFECE's Organic Statute, Regulatory Provisions and other applicable regulations will continue to apply to the extent they do not conflict with the Reform.

In conclusion, given the profiles included in the Slate of Nominees and, specifically, the inclusion of two current COFECE commissioners, we expect a smooth transition from the existing competition authorities to the CNA.

Ritch Mueller has extensive experience in competition and antitrust matters, with a team of experienced professionals available to provide advice to economic agents with ongoing merger control or other proceedings before the COFECE and the IFT that may be impacted by the Reform, as well as in respect of proceedings to be initiated before the CNA.

If you require additional information, please contact our Competition and Antitrust team leaders.

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