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## Decree Amending Several Articles of the Mexican Constitution related to Strategic Sectors and State-Owned Companies

On October 31, 2024, the “Decree Amending Paragraph Five of Article 25, Paragraphs Six and Seven of Article 27, and Paragraph Four of Article 28 of the Mexican Constitution, Concerning Strategic Sectors and State-Owned Companies” (the “**Decree**”) was published in the National Official Gazette.

The Decree includes the following key points:

### Article 25

- The Federal Electricity Commission (CFE) and Petróleos Mexicanos (PEMEX) are reclassified from state-productive enterprises to state-public enterprises.

### Article 27

- Concessions for lithium will not be granted.
- Regarding the electricity industry:
  - » The State retains exclusive control over the planning and regulation of the National Electric System and transmission and distribution activities, for which no concessions will be granted.
  - » Secondary legislation will outline the conditions under which private entities may participate in non-reserved electricity industry activities, with explicit precedence given to public enterprises over private actors.

### Article 28

- State monopolies on lithium and State-provided internet services will not be considered monopolies.
- Railways, for both passenger and freight transport, are designated priority national development areas.
- The State is authorized to grant assignments related to railways and satellite communications.

### Transitory Provisions

- The Decree came into effect on November 1, 2024.
- The Federal Congress has 180 calendar days to amend secondary legislation, with the deadline set for **April 29, 2025**.
- Transitional articles on constitutional energy reform from December 20, 2013, have been repealed.

If you require guidance on how this Decree may impact your business, our specialists can provide tailored legal advisory services to meet your specific needs.

## Contacts



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