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## INFONAVIT: The Federal Judiciary's analysis of Regulatory Guideline 01/2025 concerning Article 29 of the INFONAVIT Law

As we reported in our Legal Briefing of March 14, 2025, on March 13, 2025, the National Housing Fund Institute for Workers (INFONAVIT) issued Regulatory Guideline 01/2025, in which it clarified the scope of the amendment to Article 29 of the INFONAVIT Law. The amended Article 29 eliminated the suspension of deductions from employees' salaries to cover the payment of loans granted by INFONAVIT in cases where the employees are on medical leave or absent from work. Regulatory Guideline 01/2025 provides, ***"If the salary paid to the employee does not allow the full deduction to be made, the employer shall have no obligation to cover the amount that is not withheld."***

This interpretation is based on the premise that the obligation to withhold and remit payments to INFONAVIT **is conditional upon the existence of an actual salary payment** that constitutes the basis or triggering event for such purpose. In the absence of a salary -such as in cases of absences from work or disability- the triggering event does not occur and, **therefore, employers are not required to withhold or remit payments**, nor are they obligated to cover with their own resources the amounts that could not be deducted due to the absence of a salary.

In recent days, the Federal Judiciary has affirmed the contents of Regulatory Guideline 01/2025 in various rulings. These rulings have been issued in the context of the amparo trials filed by employers asserting the unconstitutionality of the amendment, in which INFONAVIT has been consistent in the interpretation of the INFONAVIT Law at the time of issuing its justified reports.

In this regard, given that the grace period granted by INFONAVIT for the implementation of the amendment ended on June 30, 2025, the loan amortizations corresponding to the 4th bimonthly period, which must be paid on September 17, 2025, must be handled in accordance with the provisions of the preceding paragraphs. As a result, the perceived economic harm that had been widely debated in professional forums and publications has been effectively eliminated.

**Pérez-Llorca Mexico's** Social Security team is available to assist with the practical implementation of the updated scheme of deductions from employees' salaries to cover INFONAVIT loan amortization payments.

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