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# Publication of the new General Administrative Provisions on the Social Impact Statement for the Energy Sector

On February 16, 2026, the Ministry of Energy (*Secretaría de Energía*, “**SENER**”) published the *Agreement issuing the General Administrative Provisions on the Social Impact Statement for the Energy Sector (Disposiciones Administrativas de Carácter General sobre la Manifestación de Impacto Social del Sector Energético*, the “**DACGs**”) in the Federal Official Gazette (*Diario Oficial de la Federación*, the “**DOF**”).

The DACGs replace and abrogate the former General Administrative Provisions on the Social Impact Assessment (*Evaluación de Impacto Social*, “**EVIS**”) in the energy sector, from 2018, and introduce a new instrument called the Social Impact Statement for the Energy Sector (*Manifestación de Impacto Social del Sector Energético*, the “**MISSE**”). This change reflects the new legislative structure resulting from the Electricity Sector Law and the Hydrocarbons Sector Law published on March 18, 2025, as well as their respective Regulations, which were published on October 3, 2025.

Capitalized terms not defined herein shall have the meaning ascribed to them in the DACGs.

The most notable aspects of the DACGs are detailed below:

## I. Purpose and Scope of Application

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The DACGs aim to establish the requirements for the preparation and submission of the MISSE, its exceptions, grounds for inadmissibility, its validity and modifications, as well as the procedure to be followed by SENER to authorize, impose conditions upon, or refuse the authorization of an energy sector project.

The DACGs apply at federal level, throughout Mexico, and cover activities in the following sectors: (i) hydrocarbons; (ii) electricity; (iii) biofuels; and (iv) geothermal energy. SENER, through the General Directorate for Social Impact, Prior Consultation and Surface Occupation (*Dirección General de Impacto Social, Consulta Previa y Ocupación Superficial*), is responsible for the interpretation of the DACGs.

## II. Activities Subject to the MISSE and Exceptions

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The DACGs establish a broad catalog of activities that require the submission of the MISSE. These activities are organized by sector:

- **Hydrocarbons Sector:** (i) invasive maritime or onshore seismic surface exploration; (ii) hydrocarbon exploration or extraction; (iii) petroleum treatment, processing or refining; (iv) the storage of hydrocarbons, petroleum products or petrochemicals; (v) pipeline distribution or transportation; (vi) natural gas compression or decompression; (vii) natural gas regasification or liquefaction; (viii) natural gas processing or treatment; and (ix) retail sale or delivery for self-consumption.

- **Electricity Sector:** (i) electricity generation; (ii) public electricity transmission service; and (iii) electricity storage.
- **Biofuels:** (i) production, (ii) transportation, and (iii) the storage of biofuels.
- **Geothermal Sector:** geothermal resource exploration requiring infrastructure or well drilling.

The following activities, among others, are excluded from the MISSE: the public electricity distribution service; commercialization activities; import and export permits under the Foreign Trade Law; seismic acquisition not involving physical alteration of the terrain; biofuel production below 5,000 m<sup>3</sup>/day; biofuel storage below 300,000 liters; and exempt or diverse-use geothermal exploitations.

### III. Submission Formats: Formats A, B and C

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One of the most significant innovations is the classification of the MISSE into three differentiated formats based on the nature, scale, and complexity of the project in question.

#### 3.1 Format A<sup>1</sup>

**General requirements:** A project's Area of Influence is limited to the Core Area. The characterization of localities is performed solely with sociodemographic indicators and a description of the main economic activities. No financial information or cost-benefit analysis is required. The Social Management Plan (Plan de Gestión Social) is composed of two strategies: (i) the implementation of measures; and (ii) communication and engagement<sup>2</sup>.

#### 3.2 Format B<sup>3</sup>

**General requirements:** In addition to the contents of Format A, Format B requires: (i) the delineation of the Direct and Indirect Area of Influence; (ii) a comprehensive characterization of localities including sociodemographic, socioeconomic, sociocultural, and socio-environmental features; (iii) a Social Baseline with measurable indicators; (iv) the identification and characterization of Indigenous or Afro-Mexican Peoples and Communities; (v) the identification of differentiated social impacts and impacts on collective rights and interests; (vi) a participatory approach through interviews, focus groups or workshops; (vii) the general financial information of the project (total investment, CAPEX, OPEX, financing sources, and a cost-benefit analysis including NPV, IRR and Payback); and (viii) an expanded Social Management Plan that includes an abandonment plan, a resettlement plan (where applicable), a Shared Social Benefits strategy, a differentiated impact response strategy, and the estimated annual investment amount.

#### 3.3 Format C<sup>4</sup>

**General requirements:** In addition to the contents of Formats A and B, Format C requires: (i) an analysis of Cumulative Social Impacts (*Impactos Sociales Acumulativos*) with other sector projects in the short, medium, and long term; (ii) a description of the social, landscape, and environmental heritage relevant to the identity of the localities; (iii) an analysis of local and regional development prospects within the Area of Influence; (iv) pollutant dispersion models for the delineation of the Indirect Area of Influence; (v) a detailed description of the participatory techniques or methodologies used; and (vi) an assessment of the specific scope of social impacts on particular social groups, with emphasis on Indigenous and Afro-Mexican Peoples and Communities.

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<sup>1</sup> The activities subject to this format are specified in Article 10, section I of the DACGs.

<sup>2</sup> Articles 14 and 19 of the DACGs.

<sup>3</sup> The activities subject to this format are specified in Article 10, section II of the DACGs.

<sup>4</sup> Activities subject to this format are specified in Article 10, section III of the DACGs.

## IV. Main Components of the MISSE

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The DACGs structure the MISSE into various components, set forth in Title Two of the DACGs (Articles 11 to 34), among which the following are noteworthy:

- General information on the project<sup>5</sup>
- The project's Area of Influence<sup>6</sup>
- Characterization of Localities<sup>7</sup>
- Stakeholders (*Actores de Interés*)<sup>8</sup>
- The identification, characterization, prediction, and assessment of Social Impacts<sup>9</sup>
- A Social Management Plan and Shared Social Benefits<sup>10</sup>

## V. Gender Perspective

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The DACGs introduce the Gender Perspective (*Perspectiva de Género*) as a mandatory cross-cutting element.

## VI. Prior Consultation with Indigenous or Afro-Mexican Peoples and Communities

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The DACGs provide that when SENER determines the appropriateness of a Prior Consultation (*Consulta Previa*), the MISSE authorization will be issued on a conditional basis.

SENER may refuse an authorization when an Indigenous People or Community has decided to withhold its free, prior, and informed consent, and SENER considers that the project is not consistent with energy policy, binding planning instruments, or the public interest. Similarly, non-compliance with agreements arising from the Prior Consultation constitutes grounds for the revocation of the authorization.

## VII. Validity of the Authorization and Substantial Modifications

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The authorization remains valid for the entire duration of the project, unless the project undergoes substantial modifications.

## VIII. Shared Social Benefits and Social Investment

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The criteria for defining the Shared Social Benefits include attention to vulnerable populations; the generation of income that is independent from the project; the strengthening of local productive chains; coordination with local authorities; local capacity building; medium and long-term sustainability; the effective participation of Indigenous or Afro-Mexican Communities; and the contribution to Energy Justice.

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<sup>5</sup> Articles 12 and 13 of the DACGs.

<sup>6</sup> Articles 14 to 17 of the DACGs.

<sup>7</sup> Articles 18 to 21 of the DACGs.

<sup>8</sup> Article 20 of the DACGs.

<sup>9</sup> Articles 22 to 27 of the DACGs.

<sup>10</sup> Articles 28 to 34 of the DACGs.

The amount allocated to Shared Social Benefits must be **equal to or greater than** the resources allocated to Social Impact mitigation. The amount is reviewed and adjusted annually, with justification provided in the annual compliance report.

## IX. Transitory Provisions

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The DACGs entered into force on February 17, 2026. The most significant transitory aspects are as follows:

- The 2018 General Administrative Provisions on the Social Impact Assessment have been abrogated.
- SENER has **90 business days** to activate the MISSE module on the Ventanilla Energía platform<sup>11</sup>.
- EVIS and MISSE applications which are pending prior to the entry into force of the DACGs shall be processed to conclusion under the provisions in effect at the time of their submission.
- Applications submitted prior to the activation of the Ventanilla Energía platform shall continue to be processed in physical form at SENER's Official Correspondence Office (*Oficialía de Partes*).

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<sup>11</sup> Third Transitory Provision of the DACGs.

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