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Decree on the Immediate Authorization of Investments

On May 4, 2026, the “Decree for the Immediate Authorization of Investments” (the “Decree”) was published in the Official Gazette of the Federation. This instrument establishes an expedited authorization mechanism for private investment projects in strategic sectors, with the purpose of simplifying and streamlining the federal procedures required for their establishment and operation, within the context of the “nearshoring” phenomenon and the “Plan México”.

I. Eligible Investment Projects

The Decree applies to the following types of private investment projects:

- Investments in Development Hubs (Development Hubs for Well-being, Economic Development Hubs for Well-being, and Circular Economy Hubs for Well-being).
- Investments equal to or greater than \$2,000,000,000.00 (two billion pesos 00/100 M.N.).
- Investments in strategic sectors, including: technology infrastructure, data processing centers, textiles and apparel, semiconductor and microelectronics design and manufacturing, automotive and auto parts, medical devices, pharmaceuticals and biopharmaceuticals, aerospace, energy, and chemicals, among others as determined by the Investment Committee.

Investment projects in the mining and financial sectors, as well as those constituting public or mixed investment, are expressly excluded.

II. Authorizations and Timeframes

An authorization procedure is established that allows for the immediate commencement of the investment project once granted. Its main characteristics are:

- The authorization must be issued within 30 business days following the submission of the complete application.
- It will be valid for one year, renewable up to two times for equal periods, provided that the project has achieved at least 90% of the committed progress.
- Authorized projects may begin development immediately, completing the corresponding federal procedures during the validity period of the authorization.
- The competent authorities must resolve the procedures included in the authorization within a maximum of 60 business days.

Procedures for investment projects that do not have authorization but are processed must be resolved within a maximum of 90 business days. If the authorities do not resolve the matter within that period, the procedures will be deemed authorized (*afirmativa ficta*, i.e. positive administrative silence).

III. Investment Committee

The Investment Committee is established as a collegiate body responsible for granting, modifying, suspending, or revoking authorizations. The Committee will be chaired by a person designated by the Head of the Federal Executive Branch and must be established within 30 calendar days following the entry into force of the Decree.

IV. Revocation and Suspension

The authorization may be revoked if the investor:

- Fails to comply with the requirements, commitments, or obligations arising from the authorization.
- Submits false documentation or information.
- Engages in conduct constituting grounds for revocation as determined by the Committee through general rules.

Likewise, the authorization will be suspended if the investor fails to submit the quarterly progress report, until such time as the report is submitted.

The Decree represents a significant change in the regulatory framework for attracting and facilitating investment in Mexico. It is particularly relevant for investors in the strategic sectors and for large-scale projects.

Pérez-Llorca Mexico's Tax team is available to provide further information on the contents of this Legal Briefing.

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