

## **COFECE issues *Regulatory Provisions on the use of electronic means in investigation procedures and other procedures***

- *Through these Provisions and the technological tools that will accompany them, COFECE takes a step forward towards the possibility of conducting all of its procedures electronically.*
- *Several proceedings, such as appearances, testimonials, confessionals and oral hearings may be conducted remotely.*
- *An Electronic Filing Office (OPE, as per its initials in Spanish) will be available for access through either the Advanced Electronic Signature (FIEL, as per its initials in Spanish) or through a username and password.*

**Mexico City, June 25<sup>th</sup>, 2020.-** The Mexican Federal Economic Competition Commission (COFECE or Commission) published today in the Federal Official Gazette the *Emergency Regulatory Provisions of the Federal Economic Competition Law on the use of electronic means* in certain procedures related with the processing of complaints, monopolistic practices investigations, unlawful concentrations, essential inputs, barriers to competition and competition conditions, as well as for the leniency and immunity program and the fine reduction benefit. These Provisions will be optionally applied to economic agents during the health emergency and until the Board of Commissioners determines so, considering the prevailing conditions on this matter.

The new *Regulatory Provisions* shall also apply to trial-like procedures, to the post-issuance stage and notification of the preliminary investigation opinion for barriers to competition, essential inputs and competition conditions, as well as to the inspection procedures and incidents related to compliance and execution of the Commission's resolutions.

Among the novelties introduced by these new Provisions, is the implementation of an Electronic Filing Office, which can be accessed through an access code and a password or, when appropriate, with the Advanced Electronic Signature provided by the Tax Administration Service. This Office will begin operation on August 24, 2020 along with an electronic platform for conducting appearances, testimonials, confessionals, oral hearings, among other proceedings.



With these Provisions and their companion technological tools, COFECE takes a step forward to the possibility of conducting all of its procedures electronically and positions itself at the vanguard for the electronic filing of the different procedures carried out by competition authorities around the world.

Prior to the issuance of these *Provisions*, a review of applicable legal frameworks from multiple jurisdictions in the world was conducted. Moreover, diverse competition authorities were consulted in order to align these Provisions with international best practices.

*[Read the Emergency Regulatory Provisions on the use of electronic means in certain procedures processed before the Federal Economic Competition Commission \(Spanish version\).](#)*

*[Read the courtesy translation into English of the Regulatory Provisions on the use of electronic means in certain procedures processed before the Federal Economic Competition Commission](#)*

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#### **MORE COMPETITION FOR A STRONGER MEXICO**

*The Federal Economic Competition Commission safeguards competition and free market access. Through this, it contributes to the people's well-being and the efficient functioning of the markets. Through its work it seeks better conditions for consumers, that more services are offered with greater quality and that there is a "level playing field" for businesses.*

