

Update of the Unit of Measurement and Update (*Unidad de Medida y Actualización*) and Concentration Amounts

Antitrust - January 10, 2024

Today, January 10, 2024, the National Institute of Statistics and Geography (the “INEGI”) published in the Federal Official Gazette an update of the Mexican Unit of Measurement and Update (“UMA”):

- **Daily Value:** MXN\$108.57 (approximately US\$6.42^[1]).
- **Monthly Value:** MXN\$3,300.53 (approximately US\$195.18).
- **Annual Value:** MXN\$39,606.36 (approximately US\$2,342.19).

These values will be effective as of February 1, 2024.

This update modifies the merger control thresholds provided in Article 86 of the Federal Economic Competition Law as follows:

- **Section I:** When the originating act or sequence of acts, notwithstanding the place of performance, are worth within Mexican territory, directly or indirectly, an amount in excess to the equivalent of **MXN\$1,954,260,000** (approximately **US\$111.6 million**);
- **Section II:** When the originating act or sequence of acts, imply the accumulation of thirty-five percent or more of the assets or stock of an Economic Agent, whose annual sales originating in Mexican territory or assets in the country, are worth an amount in excess of the equivalent of MXN\$1,954,260,000 (approximately US\$111.6 million) or
- **Section III:** When the originating act or sequence of acts, imply an accumulation within Mexican territory of assets or capital stock in excess of the equivalent to **MXN\$911,988,000** (approximately **US\$52.1 million**), and two or more of the Economic Agents participating in the concentration have annual sales originating in Mexican territory or assets in Mexican territory which are worth, jointly or separately, an amount in excess of **MXN\$5,211,360,000** (approximately **US\$297.7 million**).

[1] All amounts expressed in U.S. dollars were calculated using the following exchange rate: MXN\$17.50 = US\$1.00.

Likewise, the fines that can be imposed by the Federal Economic Competition Commission (Cofece) fixed in UMAs increased in 4.66%.

Finally, as of January 1, 2024, the concentration filing fee will be of **MXN\$237,058** (approximately **US\$13,546**).

In case you have any comments, please do not hesitate to contact our Competition team (competencia@macf.com.mx).

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