

Provisional Suspension of Certain Articles of the Amendment to Hydrocarbons Law Ordered by Mexican Court

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PRACTICES Mexico, Mexico Energy Reform, International

On May 7, 2021, the Second District Court in Mexico City (which has jurisdiction over all of the Mexican Republic) (the “Court”) granted, in an *amparo* (constitutional proceeding), a provisional suspension of the effects and consequences of the recent amendments to Article 57 of the Hydrocarbons Law and the addition of the fourth and sixth transitory articles (the “Amendments”). The Amendments were published in the *Official Gazette of the Federation* on May 4, 2021.¹

This provisional suspension has **general effects**, meaning that all hydrocarbon and petrochemical permit holders, as well as others in the process of getting a permit to develop any of the activities regulated in these sectors, will benefit from this measure. This measure has been previously issued by the Court in several *amparos* related to recent regulatory changes in the energy sector.² The Court considered that the provisional suspension must have general effects to protect competition and free access between all participants in the energy industry, and to prevent market distortions.

The measure granted postpones the effects of the Amendments. Thus, all government authorities/agencies, including the Ministry of Energy (SENER), and the Energy Regulatory Commission (CRE), must comply with the provisional suspension by restoring the effects of article 57, as it existed prior to the Amendments, and refrain from applying the new fourth and sixth transitory articles included in the Amendments, until the Court issues a definitive suspension in the *amparo*.

To read en español, click [here](#).

For more information, please contact any of the attorneys listed below.

¹ For more information on these amendments, please see our Client Alert dated March 29, 2021.

² Changes to the Electricity Industry Law (for more information please see our Client Alert dated March 4, 2021) and the Modifications to Import and Export Regulations for Fuels (for more information please see our Client Alert dated January 19, 2021).