



**Asia-Pacific  
Economic Cooperation**

---

**2010/SOM1/CPLG/035**  
Agenda Item: 7(3)

## **Procedural Fairness in Merger Cases**

Purpose: Information  
Submitted by: Mexico



**Competition Policy and Law Group Meeting  
Hiroshima, Japan  
28 February-1 March 2010**



COMISIÓN FEDERAL DE COMPETENCIA  
MÉXICO

## Procedural fairness in merger cases

---

Dr. Paolo Benedetti

Hiroshima, 28.02.2010

### Does merger control in Mexico conforms to the international best practice?

- This presentation focuses on the **notification and review procedures** and, in particular, on 10 key components of these procedures:
  - 1) Nexus
  - 2) Thresholds
  - 3) Timing of notification
  - 4) Review periods
  - 5) Requirements for initial notification
  - 6) Conduct of investigations
  - 7) Third parties rights
  - 8) Transparency
  - 9) Confidentiality
  - 10) Review of Merger control Provisions.

Nexus ✓

Thresholds ✓

Timing of notification ✓

Review periods ✓

Requirements for notification ✓

Conduct of investigations ✓

Third parties rights ✘

Transparency ✔

Confidentiality ✓

Review of provisions ✓

## Does merger control in Mexico conforms to the international best practice?

- Nexus ✓
  - Thresholds ✓
  - Timing of notification ✓
  - Review periods ✓
  - Requirements for initial notification ✓
  - Conduct of investigations ✓
  - Third parties rights ✗
  - Transparency ✓
  - Confidentiality ✓
  - Review of merger control provisions ✓
- **In general terms it does but there is still room for improvement!**



COMISIÓN FEDERAL DE COMPETENCIA  
MÉXICO

**Thank you for your attention!**

---

Dr. Paolo Benedetti  
pbenedetti@cfc.gob.mx

Hiroshima, 28.02.2010