

# NHG recognized once again as a Top Tier Firm by IFLR 1000

Category: Firm news

written by Nader, Hayaux & Goebel | agosto 6, 2024

We are proud to share that for the sixth consecutive year, IFLR 1000 has ranked NHG as a TIER 1 firm in the following practice areas:

- Banking
- Capital Markets: Debt
- Capital Markets: Equity
- M&A
- Project Development
- Real Estate

A special congratulations to our 14 outstanding attorneys who have also been individually recognized by IFLR 1000.

This achievement is a testament to our team's unwavering dedication to providing unparalleled client service and upholding exceptional standards across all our practice areas.

Thank you to our incredible team and valued clients for making this possible.

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## 6th Edition of Anticorruption in Mexico Latin Lawyer

Category: Events, Firm news

written by Nader, Hayaux & Goebel | agosto 6, 2024

On 6 June 2024, Partner [Hans Goebel](#) participated in the sixth edition of "Anti-

Corruption & Investigations Mexico,” organized by Latin Lawyer and Global Investigations Review. The events feature keynotes addressing the rule of law in Mexico and the importance of recent developments.

Hans Goebel participated in the panel “Mitigation of anti-corruption risk in transactions” together with [Mariana C.](#), [Karina Escobar](#), [Monica Lorena Orozco Guerrero](#), and [Guillermo A Moreno Melendez](#), moderated by Andrew Levine.

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## **Regulación de riesgo cibernético en el sector financiero (Legal Industry)**

Category: Banking & Finance, Publications, Securities and Capital Markets, Securitizations & Structured Finance, Structured Finance  
written by Nader, Hayaux & Goebel | agosto 6, 2024

NHG contributed to the [15<sup>th</sup> edition of Legal Industry Magazine \(Revista Industrial\)](#) with the Article: “Regulación de riesgo cibernético en el sector financiero”.

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## **Guía ASG para México 2023 (GANAR GANAR)**

Category: ESG, Publications, Sustainable Transition/ESG  
written by Nader, Hayaux & Goebel | agosto 6, 2024

With the contribution of Partner [Luciano Pérez](#) and Associate [Ana Paula Silva](#), NHG

has contributed to the [July-August 2024 edition of GANAR GANAR](#), with the article “Guía ASG México 2023”.

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# Mexico Chapter in The Legal 500’s Country Comparative Guide on Capital Markets.

Category: Capital Markets, Publications

written by Nader, Hayaux & Goebel | agosto 6, 2024

Our Capital Markets team contributed to The Legal 500’s Country Comparative Guide on Capital Markets.

This prestigious guide offers the in-house legal community a practical overview of the laws and regulations in key jurisdictions, all compiled in an easy-to-use Q&A format.

Our chapter on Mexico’s capital markets provides in-depth insights into the regulatory framework, shareholder and debt securities, giving readers a comprehensive understanding of the local legislation. Produced by The Legal 500 in association with leading lawyers from around the globe, this guide includes hot-topic articles that analyze current trends and developments.

Our Mexico Capital Markets chapter is authored by partners Gunter Schwandt and Ana Paula Telleria, and associate Alfonso Díaz C. Explore the latest trends and gain a deeper understanding of the pressing issues in the capital markets sector with our expert insights.

□ Read more about it here:

# Chambers and Partners 2024 Global Practice Guide on Cartels

Category: Antitrust, Publications

written by Nader, Hayaux & Goebel | agosto 6, 2024

Nader, Hayaux & Goebel's Competition team contributed to Chambers and Partners' 2024 Global Practice Guide on Cartels, where Partner Alejandro Mendiola Diaz contributed to the Law and Practice section for Mexico.

Chambers Global Practice Guides on Cartels 2024 is a comprehensive guide that covers nearly 20 jurisdictions, offering the latest legal insights on critical topics such as:

- Cartel enforcement policy and practice
- Dawn raids
- Attorney-client privilege
- Protection of confidential/proprietary information
- Leniency, immunity, and amnesty regimes
- Burden of proof
- Sanctions and remedies
- Private civil litigation

The Cartels 2024 guide serves as a vital resource for identifying key issues and shaping further inquiries. It underscores the importance of effective competition law compliance programs in risk management and client education, highlighting their positive impact on mitigating sanctions.

You can view the article on Chambers' [website](#).

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# **Lexology | Year in review: insurance and reinsurance Law in Mexico**

Category: Insurance and Reinsurance, Publications

written by Nader, Hayaux & Goebel | agosto 6, 2024

The guide provides a practical overview of Mexico's Insurance and Reinsurance regulatory efforts across multiple jurisdictions.

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# **NHG appoints Jenny Ferrón as Partner**

Category: Firm news, Partners

written by Nader, Hayaux & Goebel | agosto 6, 2024

Nader, Hayaux & Goebel (NHG) is delighted to welcome back Jenny Ferrón as a Partner, effective May 1, 2024.

Jenny, a former senior associate at NHG, brings a wealth of expertise in capital markets, banking & finance, private equity and cross-border transactions. Jenny's industry experience spans to real estate, fintech, public companies, banking and financial services.

During her tenure at NHG, she spearheaded multiple capital markets and financing transactions, and provided counsel to major financial institutions and corporations on debt and equity securities offerings. Jenny has a strong track record in finance matters both in Mexico and abroad.

Prior to rejoining NHG, Jenny worked three years as an associate at a premier global law firm in New York, focusing on public and capital markets transactions as well as structured finance. She holds an LLM degree from the University of Fordham and a law degree from Universidad Panamericana.

Jenny comments “Rejoining NHG as a partner is not only a great honor but also a heartfelt homecoming. Having spent several formative years as a senior associate here, returning feels like reuniting with family. I eagerly anticipate the exciting journey ahead and I’m grateful for the chance to once again be part of this exceptional team and contribute to our ongoing success.”

Jenny’s addition as a Partner bolsters NHG’s capabilities in banking, finance, capital markets, and private equity, underscoring NHG’s commitment to excellence.

Hans Goebel, Chairman of NHG, commented: “Jenny is a magnificent lawyer and a remarkable person. We are delighted to welcome her back to NHG, now as a Partner. Jenny’s addition to the partnership is a reflection of our enduring culture of organic and sustained growth. It underscores our Firm’s commitment to our core values of excellence, collaboration and delivery of unparalleled service to our clients.”

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# **Aspectos relevantes sobre el nuevo Manual de Organización General de la Secretaría de Medio Ambiente y Recursos Naturales**

Category: ESG, Legal Alerts

written by Nader, Hayaux & Goebel | agosto 6, 2024

El pasado 25 de marzo de 2024 se publicó en el Diario Oficial de la Federación el

nuevo Manual de Organización General (el “**Manual**”) de la Secretaría de Medio Ambiente y Recursos Naturales, en lo sucesivo (la “**SEMARNAT**”). Este Manual entró en vigor el día 26 de marzo de 2024 y deja sin efectos al manual anterior publicado el 13 de agosto de 2003.

El Manual, como legislación de desarrollo a lo previsto en la Ley Orgánica de la Administración Pública Federal, la Ley que crea a la Agencia Nacional de Seguridad Industrial y de Protección al Medio Ambiente del Sector Hidrocarburos y de los Reglamentos Interiores de la SEMARNAT, la Comisión Nacional del Agua y otros órganos administrativos desconcentrados, constituye una guía para otras dependencias, particulares y servidores públicos de la SEMARNAT, respecto a la organización y funcionamiento de dicha institución. Adicionalmente, se erige como herramienta para transparentar y hacer más eficientes las acciones de la SEMARNAT, ya que integra las facultades de cada área, su fundamento legal y la división de las funciones que corresponden a cada una de ellas en un solo documento oficial.

Este Manual actualiza y armoniza disposiciones administrativas organizativas de la SEMARNAT y de sus órganos administrativos desconcentrados que se habían quedado en algunos casos rezagadas desde hace más de una década. A continuación, destacamos algunas adecuaciones relevantes.

### **1. Integración al Manual de la Unidad Coordinadora de Vinculación Social, Derechos Humanos y Transparencia.**

Dicha Unidad, tiene como objetivo diseñar políticas, proyectos y acciones que impulsen el cumplimiento de las políticas públicas del sector de medio ambiente y recursos naturales. Su integración en el Manual promueve que la SEMARNAT priorice el cumplimiento de la normativa vigente sobre todo en temas de derechos humanos, igualdad de género, jóvenes, atención a pueblos, comunidades indígenas y afro-mexicanas, transparencia, acceso a la información, protección de datos personales, participación y atención ciudadana.

### **2. Reconocimiento de tratados, convenciones y protocolos internacionales dentro del marco jurídico que regula a la SEMARNAT.**

A diferencia del antiguo manual de 2003, el Manual vigente considera dentro de sus alcances, tratados y protocolos internacionales para complementar nuestra legislación federal, estatal y local, principalmente en los siguientes ámbitos:

- En materia de tránsito de materiales y residuos, ahora se reconoce la legislación y el marco jurídico internacional para la categorización de residuos peligrosos, manejo especial y sólidos urbanos. Adicionalmente, se consideran dichos instrumentos internacionales en cuanto a la atención a accidentes derivados del transporte de residuos, considerando que éste supuesto puede darse durante la importación y/o exportación de los mismos.
- En materia de aguas nacionales, se coordinarán las acciones necesarias para el aprovechamiento integral del agua considerando también a las regiones hidrológico-administrativas que repercutan en tratados internacionales y a las cuencas transfronterizas, buscando cumplir con los tratados y acuerdos internacionales sin comprometer el abastecimiento de agua para consumo humano, principalmente en regiones con estrés hídrico.
- En materia de mitigación de emisiones de gases y compuestos de efecto invernadero, se detalla la coordinación y contribución por parte de la Dirección General de Políticas para la Acción Climática, para cumplir con los lineamientos en materia de cambio climático que establece el marco jurídico internacional y así impulsar la política exterior y las negociaciones multilaterales.

### **3. Armonización con el Reglamento Interior de la Comisión Nacional del Agua (“CONAGUA”).**

El Manual armoniza las facultades del nivel nacional de la CONAGUA que estaban previstas desde hace más de una década en el Reglamento Interior de la CONAGUA para la atracción de asuntos a cargo de los Organismos de Cuenca de origen.

### **4. Integración al Manual de la Dirección General de Industria, Energías Limpias y Gestión de la Calidad del Aire.**

Esta dirección general dejó de estar adscrita a la Subsecretaría de Gestión para la Protección Ambiental, por lo que el Manual vigente se alinea a esta separación y la integra como dirección adscrita al titular de la Secretaría. Además, detalla sus facultades después de este cambio, como la facultad para integrar e implementar el registro de emisiones y transferencia de contaminantes tanto a nivel federal como a nivel estatal y municipal. Por ejemplo, que tiene facultades para determinar la calidad del aire en todas las regiones del territorio nacional y para aprobar programas de reducción de contaminantes diseñados para cada área, zona o región del país.

Otra de las facultades detalladas es la de asignar las cuotas de importación de Sustancias Agotadoras de la Capa de Ozono (SAO). Estas sustancias son comúnmente utilizadas en industrias que utilizan refrigerantes, aires acondicionados, plaguicidas, solventes de limpieza, esterilizantes, entre otras, por lo que resulta relevante la actualización de dichas cuotas de importación.

## **5. Integración al Manual de la ASEA.**

Se actualiza el Manual para integrar a la ASEA como uno de los cuatro órganos administrativos desconcentrados de la SEMARNAT. Dicha agencia resulta relevante, ya que regula y supervisa la seguridad industrial, operativa y protección al ambiente respecto de las actividades del sector de hidrocarburos. De igual manera, está facultada para resolver cualquier recurso administrativo, solicitud de revocación, de modificaciones o de suspensión de multas a particulares promovidos en contra de unidades administrativas que le estén adscritas.

El presente documento es de carácter meramente informativo, por lo que no constituye asesoría legal o recomendación alguna. Si desea conocer más al respecto de esta publicación y de sus implicaciones legales, por favor contáctenos a Marcela Ánimas ([manimas@nhg.com.mx](mailto:manimas@nhg.com.mx)), Alessandra Mateos ([amateos@nhg.com.mx](mailto:amateos@nhg.com.mx)) o Carolina Monroy ([cmonroy@nhg.com.mx](mailto:cmonroy@nhg.com.mx)).

**Relevant aspects of the new General Organization Manual of the Ministry of Environmental and Natural Resources**

On March 25, 2024, the new General Organization Manual (the “**Manual**”) of the Ministry of Environmental and Natural Resources, hereinafter referred as “**SEMARNAT**”. This Manual came into force on March 26, 2024, and supersedes the previous manual published on August 13, 2003.

The Manual, as development legislation to the Organic Law for the Federal Public Administration, the Law that creates the National Agency for Industrial Safety and Environmental Protection of the Hydrocarbons Sector, the Internal Regulations of SEMARNAT, the National Water Commission and other decentralized administrative bodies, serves as a guide for other agencies, individuals, and workers of SEMARNAT regarding the organization and functioning of this institution. Additionally, it stands as a tool to make the actions of SEMARNAT more transparent and efficient, compiling the authorities given to each area, their legal basis, and the division of functions corresponding to each of them in a single official document.

This Manual update and harmonizes the organizational administrative provisions of SEMARNAT and its decentralized administrative bodies that, in some cases, had fallen behind for more than a decade. Below, we highlight some relevant adaptations:

### **1. Integration of the Coordinating Unit for Social Linkage, Human Rights and Transparency**

This Unit aims at designing policies, projects and actions that promote the fulfillment of public policies in the environmental and natural resources sector. Its integration into the Manual ensures that SEMARNAT prioritizes compliance with current regulations, especially on issues of human rights, gender equality, youth, attention to people in vulnerable situations, indigenous Afro-Mexican communities, transparency, information access, personal data protection and citizen participation.

### **2. Recognition of treaties, conventions, and international protocols within the legal framework that regulates SEMARNAT**

Unlike the old manual from 2003, the current Manual considers international treaties and protocols to accompany our federal, state, and local legislation, mainly

in the following areas:

- In terms of the transit of materials and waste, it now recognizes international legislation and legal framework for the categorization of hazardous waste, special handling, and urban solids. Additionally, these international instruments are considered regarding the response to accidents derived from waste transport, considering that this scenario can occur during its import and/or export.
- In terms of national waters, necessary actions regarding the comprehensive management of water will be coordinated, considering hydrological-administrative regions that have an impact on international treaties and agreements, without compromising water supply for human consumption, regions in Mexico with water stress.
- In terms of greenhouse gas emissions mitigation, the coordination and contribution by the General Directorate of Policies for Climate Action are detailed, to comply with the guidelines on climate change established by the international legal framework on thus promote foreign policy and multilateral negotiations.

### **3. Harmonization with the Internal Regulation of the National Water Commission (“CONAGUA”)**

The Manual refers to the powers granted to the national level of CONAGUA that had been granted to such level more than a decade ago in the Internal Regulations of CONAGUA for the attraction of certain matters originally granted to the hydrological administrative level.

### **4. Addition of the General Direction of Industry, Clean Energies, and Air Quality Management**

While this General Direction was no longer attached to the Deputy Secretariat for Environmental Protection Management, the current Manual had to make the corresponding changes to align it to the current structure whereby this Direction reports directly to the head of the SEMARNAT. Additionally, the powers entrusted to

this Direction had to be modified to aligned it to its current powers. By way of example, it has the power to determine air quality in all regions of the national territory and to approve pollutant reduction programs designed for each area, zone, or region in the country and to allocate import fees for Ozone Depleting Substances. These substances are commonly used in industries that use coolants, air conditioners, pesticides, cleaning solvents, sterilizers, among others, making the update of such import fees relevant.

## **5. Integration of ASEA to the Manual**

The Manual is updated to integrate ASEA as one of the four decentralized administrative bodies of SEMARNAT. This agency is relevant, as it regulates and supervises industrial safety, operational safety, and environmental protection regarding activities in the hydrocarbon sector. Furthermore, ASEA is empowered to resolve any administrative recourses, revocation requests, modifications, or suspensions of fines filed against administrative units assigned to ASEA.

This document is for informational purposes only and does not constitute legal advice or any recommendation. If you wish to learn more about this publication and its legal implications, please contact Marcela Ánimas ([manimas@nhg.com.mx](mailto:manimas@nhg.com.mx)), Alessandra Mateos ([amateos@nhg.com.mx](mailto:amateos@nhg.com.mx)) or Carolina Monroy ([cmonroy@nhg.com.mx](mailto:cmonroy@nhg.com.mx)).

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# **Chambers Data Protection &**

# Privacy 2024:

Category: Data Protection, Publications

written by Nader, Hayaux & Goebel | agosto 6, 2024

The Data Protection & Privacy 2024 guide features 34 jurisdictions.

NHG contributed to the Chambers Data Protection & Privacy Mexico's guide providing the latest legal information on online marketing, workplace privacy, access to data for national security purposes, international data transfers, data localisation requirements, and emerging digital and technology issues.

[Review the article here.](#)