

## **POLITICAL CONSTITUTION OF THE UNITED MEXICAN STATES**

This Constitution was published in the Diario Oficial de la Federación (Federal Official Gazette) the 5th day of February, 1917.

It was updated through the reforms published on August 17, 2011.

The Commanding Officer of the Constitutional Army, Nation's Chief Executive, has addressed to me the following decree:

I, VENUSTIANO CARRANZA, Commanding Officer of the Constitutional Army, Chief Executive of the United Mexican States, inform that:

The Constituent Congress, which has met in this city this 1 day of December, 1916, under the call issued on September 19, same year, by the First Head of State, according to that provided by the Article 4 of modifications made on September 14 on the decree issued on December 12, 1914 in Veracruz, and attaching the Plan of Guadalupe proclaimed on March 26, 1913, has issued the following:

## **POLITICAL CONSTITUTION OF THE UNITED MEXICAN STATES**

This Constitution reforms the constitution issued on February 5, 1857.

### **TITLE ONE**

#### **CHAPTER I - Human rights and guarantees**

(The name of the chapter was modified by the decree published on June 10, 2011)

(First paragraph was reformed by the decree published on June 10, 2011)

#### Article 1

In the United Mexican States, all individuals shall be entitled to the human rights granted by this Constitution and the international treaties signed by the Mexican State, as well as to the guarantees for the protection of these rights. Such human rights shall not be restricted or suspended, except for the cases and under the conditions established by this Constitution itself.

(Added by the decree published on June 10, 2011)

The provisions relating to human rights shall be interpreted according to this Constitution and the international treaties on the subject, working in favor of the protection of people at all times.

(Added by the decree published on June 10, 2011)

All authorities, in their areas of competence, are obliged to promote, respect, protect and guarantee the human rights, in accordance with the principles of universality, interdependence, indivisibility and progressiveness. As a consequence, the State must prevent, investigate, penalize and redress violations to the human rights, according to the law.

Slavery shall be forbidden in Mexico. Every individual who is considered as a slave at a foreign country shall be freed and protected under the law by just entering the country.

(Reformed by the decree published on June 10, 2011)

Any form of discrimination, based on ethnic or national origin, gender, age, disabilities, social status, medical conditions, religious, opinions, sexual orientation, marital status, or any other form, which violates the human dignity or seeks to annul or diminish the rights and freedoms of the people, is prohibited.

## Article 2

The Mexican Nation is unique and indivisible. The nation is multicultural, based originally on its indigenous tribes.

Descendants of those inhabiting the country before colonization and that preserve their own social, economic, cultural and political institutions, or some of them.

Consciousness of indigenous identity will be the fundamental criteria to determine to whom apply the provisions on indigenous people.

Indigenous community is defined as the community that constitutes a cultural, economic and social unit, settled in a territory and that recognizes its own authorities, according to their customs.

Indigenous people's right to self-determination shall be subjected to the Constitution in order to guarantee national unity. States and Federal District's constitutions and laws must recognize indigenous peoples and communities, taking into account the general principles established in the previous paragraphs, as well as ethnic-linguistic and land settlement criteria.

A. This Constitution recognizes and protects the indigenous peoples' right to self-determination and, consequently, the right to autonomy, so that they can:

I. Decide their internal forms of coexistence, as well their social, economic, political and cultural organization.

II. Apply their own legal systems to regulate and solve their internal conflicts, subjected to the general principles of this Constitution, respecting the fundamental rights, the human rights and, above all, the dignity and safety of women. The law shall establish the way in which judges and courts will validate the aforementioned regulations.

III. Elect, in accordance with their traditional rules, procedures and customs, their authorities or representatives to exercise their own form of government, guaranteeing women's participation under equitable conditions before men, and respecting the federal pact and the sovereignty of the States and the Federal District.

IV. Preserve and enrich their languages, knowledge and all the elements that constitute their culture and identity.

V. Maintain and improve their environment and lands, according to this Constitution.

VI. Attain preferential use of the natural resources of the sites inhabited by their indigenous communities, except for the strategic resources defined by this Constitution. The foregoing rights shall be exercised respecting the forms of property ownership and land possession established in this Constitution and in the laws on the matter as well as respecting third parties' rights. To achieve these goals, indigenous communities may form partnerships under the terms established by the Law.

VII. Elect indigenous representatives for the town council.

The constitutions and laws of the States shall recognize and regulate these rights in municipalities, with the purpose of strengthening indigenous peoples' participation and political representation, in accordance with their traditions and regulations.

VIII. Have full access to State jurisdiction. In order to protect this right, in all trials and proceedings that involve natives, individually or collectively, their customs and cultural practices must be taken into account, respecting the provisions established in this Constitution. Indigenous people have, at all times, the right to be assisted by interpreters and counsels, who are familiar to their language and culture.

The constitutions and laws of the States and the Federal District shall establish those elements of self-determination and autonomy that may best express the conditions and

aspirations of indigenous peoples, as well as the rules, according to which indigenous communities will be defined as public interest entities.

B. In order to promote equal opportunities for indigenous people and to eliminate discriminatory practices, the Federation, the Federal District, the States and the local councils shall establish the necessary institutions and policies to guarantee full force of indigenous people's rights and comprehensive development of indigenous communities. Such institutions and policies shall be designed and operated together with them.

In order to eliminate the needs and backwardness affecting indigenous towns and communities, authorities are obliged to:

I. Stimulate regional development in indigenous areas with the purpose of strengthening local economies and improving the quality of life. To achieve this goal, the three levels of government and the indigenous communities must take part in a coordinated manner. Local governments shall equitably determine the budget that is to be directly managed by the indigenous communities for specific goals.

II. Guarantee education and increase educational level of indigenous peoples, favoring bilingual and cross-cultural education, literacy, completion of the elementary and secondary education, technical training, high education and university education. Also, the authorities must establish a scholarship system for indigenous students at all grades, as well as define and carry out regional educational programs, according to indigenous peoples' cultural heritage and opinion, and according to the law. Authorities must promote respect towards the several cultures of the Nation and knowledge about them.

III. Enforce an effective access to health services by increasing the coverage of the national health services, but making good use of traditional medicine; improve nutrition for indigenous people through food programs, specially for children.

IV. Improve conditions of indigenous communities and their spaces for socializing and recreation through public and private financing for housing construction and improvements; extend the coverage of basic social services.

V. Promote incorporation of indigenous women to development by supporting their productive projects, protecting their health and granting incentives for their education; foster participation of indigenous women in decision making process of their communities.

VI. Extend the communication infrastructure, enabling integration of communities to the rest of the country, by constructing and expanding transportation routes and telecommunication means. Also, authorities are obliged to develop the conditions required so

that indigenous peoples and communities may acquire, operate and manage media, in accordance with the law.

VII. Support productive activities and sustainable development of indigenous communities through: a) actions that allow them to become self-sufficient; b) granting incentives for public and private investments that create new jobs; c) the use of new technology to increase productive capacity and to assure equitable access to supply and marketing systems.

VIII. Establish social policies to protect indigenous immigrants both, in Mexican territory and foreign countries, through: a) actions that assure farm workers labor rights; b) improve women's health; c) carry out special educational and nutrition programs for children and young people belonging to immigrant families; d) ensure indigenous people's human rights are respected and e) spread indigenous peoples culture.

IX. Consult indigenous peoples opinion and recommendations while preparing the National Development Plan, the State plans and the local plans and, if appropriate, to incorporate their recommendations and proposals.

In order to enforce the obligations set forth herein, the House of Representatives, the legislative bodies of the Federal District and the States, as well as the City Councils, within the scope of their jurisdictions, shall establish specific budgets to comply with these obligations, as well as the procedures enabling communities to participate in the exercise and supervision thereof.

Any community comparable to indigenous peoples shall have the same rights as the indigenous people, according to the law, without detrimental to rights of natives, their communities and peoples.

### Article 3

Every individual has the right to education. The State (the Federation, the Federal District, the States and City Councils) shall provide pre-school, elementary and secondary education. Pre-school, elementary and secondary education is mandatory.

(Reformed by the decree published on June 10, 2011)

Education provided by the State shall develop harmoniously all human abilities, inducing in pupils love for the country, the respect for human rights and international solidarity on independence and justice.

I. According to the Article 24, the education provided by the State shall be secular, therefore, state education shall be maintained entirely apart from any religious doctrine.

II. The guiding principles for state education shall be scientific progress and the fight against ignorance, servitude, fanaticism and prejudices.

Furthermore, guiding principles for state education shall:

a) be democratic, understanding democracy not only as a legal structure and political regime, but also as a way of life grounded on the continuous economic, social and cultural development;

b) be national, which means that, without hostilities or exclusivism, state education shall study national problems and the utilization of our resources, shall defend our political independence, shall assure our economic independence and shall preserve and develop our culture; and

c) contribute to a better human coexistence by instilling into pupils values like human dignity, family integrity, social welfare, brotherhood and equal rights for all men and women, avoiding privileges by reason of race, creed, group, gender or power.

III. To fully comply with the provisions established in the second paragraph and under section II, the President of the Republic shall establish the syllabus for preschool, elementary and secondary education, as well as for teacher training college that is to be applied throughout the country. The President of the Republic shall take into account the opinion of the states and the Federal District governments, as well as the opinions of all groups of society involved in education, under the terms provided by the Law;

IV. Education provided by the State shall be free;

V. Besides providing pre-school, elementary and secondary education as established in the first paragraph hereinbefore, the State shall promote and provide all types of education and levels, including basic and higher education, which are necessary for the development of the country. Also the State shall support scientific and technological research, and shall strengthen and promote Mexican culture;

VI. Private entities may provide all kinds of education. In accordance with the law, the State shall have powers to grant and cancel official accreditation to studies done at private institutions. In the case of pre-school, elementary and secondary education, as well as teacher training college, private schools must:

a) Provide education in accordance with the same purposes and criteria established in paragraph second and section II, as well as to comply with the syllabus mentioned in section III; and

b) Obtain a previous and explicit authorization from the authorities, under the terms provided by the Law.

VII. Universities and other higher education institutions upon which the law has conferred autonomy, shall have the powers and responsibility to govern themselves. They must subject themselves to the principles established in this Article to educate, do research and promote culture, respecting academic freedom, researching freedom, freedom to apply exams and to discuss ideas. These institutions shall develop their academic plans; they shall establish the terms for admission, promotion and tenure of their academic personnel; and they shall manage their estate. Labor relationships between institution and academic and administrative personnel shall be governed by section A of Article 123 of this Constitution, according to the terms established by the National Labor Relations Act for a specially regulated work, without interfering with the autonomy, academic freedom, researching freedom and the goals of the institutions referred herein, and

VIII. In order to unify and coordinate education throughout the country, the Congress of the Union shall issue the necessary laws to distribute the social duty of educating among the Federation, the Federal District, the states and the municipalities, and shall establish the pertinent budget and the penalties applicable to such civil servants who fail to comply or enforce these provisions, and to any one infringing them.

#### Article 4

Man and woman are equal under the law. The law shall protect the organization and development of the family.

Every person has the right to decide, in a free, responsible and informed manner, the number of children desired and the timing between each of them.

Every person has the right to access to health services.

The law shall set forth the rules to access the health services, and shall establish participation and liabilities of the Federation, the Federal District and the states in this matter, according to that established in the Article 73, section XVI, of this Constitution.

Every person has the right to live in an environment that is suitable for his development and wellbeing.

Every family has the right to live in a dignified and decorous housing.

The law shall establish the appropriate instruments and supports to achieve such goal.

Children's needs of food, health, education and recreation shall be satisfied in order to achieve their integral development.

Ascendants, tutors and guardians have the duty to protect these rights.

The State shall take the necessary measures to promote respect for childhood's dignity and the full exercise of their rights.

The State shall help private persons to assist in attaining the fulfillment of the childhood's rights.

(addition made through the decree published on April 30, 2009)

Every person has cultural rights, has the right of access to culture and the right to enjoy state cultural services. The State shall provide the means to spread and develop culture, taking into account the cultural diversity of our country and respecting creative freedom. The law shall provide instruments that guarantee access and participation of any cultural expression.

#### Article 5

No person may be prevented from performing the profession, industry, business or work of his choice, provided that it is lawful. This right may only be banned by judicial resolution, when third parties' rights are infringed, or by government order, issued according to the law when society's rights are infringed. No one can be deprived of legal wages, except by a judicial ruling.

In each state, the law shall determine which professions require a degree to be practiced, the requirements for such degree and the appropriate authorities to issue it.

No one can be compelled to work or render personal services without obtaining a fair compensation and without his full consent, unless the work has been imposed as a penalty by a judicial authority, which shall be subjected to the provisions established in the Article 123, sections I and II.

Only the following public services may be mandatory, and always according to the law: military service, jury service, councilman service and positions granted through the direct or indirect vote. Electoral and census duties shall be mandatory and free; however, those services performed professionally shall be paid as provided by this Constitution and any applicable laws. Social professional services shall be mandatory and remunerated according to the law and with the exceptions established in it.



Any contract, pact or agreement, which purpose is the demerit, loss or irrevocable sacrifice of a person's liberty is prohibited.

Any contract by which a person agrees to his own proscription or exile, or by which he temporarily or permanently waives his right to practice certain profession, industry or business shall not be authorized either.

A work contract will oblige the person only to render the service mentioned in that contract and during the term established by law, which may not exceed one year. The work contract cannot include the waiver, loss or damage of any political or civil right.

In the event that the worker fails to fulfill said contract, he only may be subjected to civil liability, but never may be exerted any coercion on him.

(First paragraph was reformed through a decree published on November 2007)

#### Article 6

Expression of ideas shall not be submitted to judicial or administrative inquiry, except for the cases when such expression of ideas goes against the moral or third party's rights, or causes perpetration of a felony, or disturb law and order. The right of reply shall be exercised according to law. The State shall guarantee the right to information.

In order to guarantee the right to information, the Federation, the states and the Federal District, according to their powers, shall be ruled by the following principles:

I. All information in custody of any federal, state or local authority, entity or organ, is public. It may be reserved only temporarily due to public interest and according to the law. The principle of maximum disclosure shall prevail when interpreting this right.

II. Information regarding private life and personal data shall be protected according to law and with the exceptions established therein.

III. Every person shall have free access to public information and his personal data, as well as to their rectification, without the necessity to argue interest or justification.

IV. Free mechanisms to access information and review procedures shall be established. These procedures shall be formalized before specialized and impartial agencies, which shall have operational, managerial and decision making independence.

V. Government agencies shall keep their documents in updated administrative files, and shall disclose, through electronic media, the complete and updated information about the indicators of their management and the use of public resources.

VI. The law shall establish procedures for governmental agencies to disclose information concerning the use of public resources paid to natural or artificial persons.

VII.- Failure to comply with these dispositions shall be penalized according to the law.

#### Article 7

Freedom to write and publish texts on any topic is unrestricted. No law or authority can previously censor the press, or ask for a bail to authors or printers, or restrict freedom of the press, which has its limits in respect to private life, morality and public peace. In no case, printing press can be seized as the instrument of a crime.

Organic laws shall establish all the necessary provisions to prevent that, on the pretext of accusations, sellers, newsboys, paper industry workers, printers and any other employees of the workshop that published the reported publication was jailed, unless their liability is previously demonstrated.

#### Article 8.

Public officers and employees will respect the exercise of the right to petition provided that petition is made in writing and in a peaceful and respectful manner.

Regarding political petitioning, only citizens have this right. Every petition must be decided in writing by the authority to whom it was addressed, who has the duty to reply to the petitioner within a brief term.

#### Article 9

The right to peacefully associate or assembly for any licit purpose cannot be restricted. Only citizens of the Republic may take part in the political affairs of the country. No armed meeting has the right to deliberate.

Meetings organized to make a petition or to submit a protest to any authority cannot be considered as unlawful, nor be broken, provided that no insults are uttered against the authority and no violence or threats are used to intimidate or force the decision of such authority.

#### Article 10

The inhabitants of the United Mexican States have the right to keep arms at home, for their protection and legitimate defense, with the exception of those which are prohibited by the Federal Law and those which are reserved for the exclusive use of the Army, Navy, Air Force and National Guard. Federal Law will state the cases, conditions, requirements and places where inhabitants can be authorized to carry weapons.

(First paragraph was reformed by the decree published on June 10, 2011)

#### Article 11

Every person has the right to enter and leave the country, to travel through its territory and to move house without the necessity of a letter of safe passage, passport, safe-conduct or any other similar requirement. In the event of criminal or civil liability, the exercise of this right shall be subject to the judicial authority. Relating to limitations imposed by the laws on immigration and public health, or in respect to undesirable aliens residing in the country, the exercise of this right shall be subject to the administrative authority.

(Added by the decree published on June 10, 2011)

In case of political persecution, any person has the right to seek political asylum, which will be provided for humanitarian reasons. The law shall regulate the cases in which political asylum should be provided, as well as the exceptions.

#### Article 12

No titles of nobility, nor prerogatives and hereditary honors shall be granted in the United Mexican States. Furthermore, those granted by any other country shall have no effect.

#### Article 13

No one can be tried under special laws or special courts. No person or corporation can have any privileges, nor enjoy emoluments, other than those given in compensation for public services and which must be established by the law. Military jurisdiction prevails for crimes and faults against military discipline; but, under no case and for no circumstance, military courts can extend their jurisdiction over persons who are not members of the Armed Forces. Civilians involved in military crimes or faults shall be put on trial before the competent civil authority.

#### Article 14

No law will have retroactive effect.

No one can be deprived of his freedom, properties or rights without a fair trial before previously established courts, complying with the essential formalities of the proceedings and according to those laws issued beforehand.

With regard to criminal trials, it is forbidden to impose any penalty which has not been expressly decreed by a law applicable to the crime in question, arguing mere analogy or majority of reason.

In civil trials, final sentence must agree the law writing or the legal interpretation thereof. In the case of lack of the appropriate law, sentence must be based on the general principles of law.

(Reformed by the decree published on June 10, 2011)

#### Article 15

The United Mexican States disallow international treaties for extradition when the person to be extradited is politically persecuted, or accused of ordinary crime while having the condition of a slave in the country where he/she committed the crime, as well as the agreements or treaties that alter the human rights established by this Constitution and the international treaties signed by the Mexican State.

(Reformed through a decree published on June 18, 2008)

#### Article 16

No person shall be in his private affairs, or his home invaded, without a written order from a competent authority, duly explaining the legal cause of the proceeding.

(Added through a decree published on June 1, 2009)

All people have the right to enjoy protection on his personal data, and to access, correct and cancel such data. All people have the right to oppose disclosure of his data, according to the law. The law shall establish exceptions to the criteria that rule the handling of data, due to national security reasons, law and order, public security, public health, or protection of third party's rights.

(Errata published on June 25, 2009)

Only judicial authority can issue an arrest warrant. Such arrest warrant shall always be preceded by a formal accusation or charge of misconduct considered as criminal offence,

punishable with imprisonment, provided that there is evidence to prove that a crime has been committed and that the defendant is criminally liable.

The authority executing an arrest warrant shall bring the accused before the judge without any delay and under its sole responsibility. Failure to comply with this provision will be punished under criminal law.

In cases of flagrante delicto, any person may arrest the offender, turning him over without delay to the nearest authorities, which in turn, shall bring him before the Public Prosecution Service. A record of such arrest must be done immediately.

The Public Prosecution Service may order arrest of the accused, explaining the causes of such decision, only under the following circumstances all together: a) in urgent cases, b) when dealing with serious offence, c) under reasonable risk that the accused could evade the justice and, d) because of the time, place or circumstance, accused cannot be brought before judicial authority.

In cases of urgency or flagrancy, the judge before whom the prisoner is presented shall immediately confirm the arrest or order his release, according to the conditions established in the law.

In the case of organized crime, and at the request of the Public Prosecution Service, judicial authority can order to put a person into hold restraint, complying with the terms of time and place established by law and without exceeding forty days, whenever necessary for the success of the investigation, the protection of people or legal goods, or when the accused could avoid the action of justice. The forty days term can be extended, provided that the Public Prosecution Service proves that the causes that originate hold restraint still remain. In any case, the hold restraint shall not last more than eighty days.

The term organized crime is defined as the organization of three or more people gathered together to commit crimes in a permanent or frequent manner, in the terms provided by the correspondent law.

No accused person shall be held by the Public Prosecution Service for more than forty eight hours. After this term, his release shall be ordered or he shall be brought before a judicial authority. Such term may be duplicated in case of organized crime. Any abuse shall be punished by criminal law.

Only a judicial authority can issue a search warrant at the request of the Public Prosecution Service. The search warrant must describe the place to be searched, the person or persons to be apprehended and the objects to be seized. Upon the conclusion of the search, a report

must be compiled at the site and before two witnesses proposed by the occupant of the place searched or, in his absence or refusal, by the acting authority.

Private communications shall not be breached. The law shall punish any action against the liberty and privacy of such communications, except when they are voluntarily given by one of the individuals involved in them. A judge shall assess the implications of such communications, provided they contain information related to the perpetration of a crime. Communications that violate confidentiality established by law shall not be admitted in any case.

Only the federal judicial authority can authorize telephone tapping and interception of private communications, at the request of the appropriate federal authority or the State Public Prosecution Service. The authority that makes request shall present in writing the legal causes for the request, describing therein the kind of interception required, the individuals subjected to interception and the term thereof. The federal judicial authority cannot authorize telephone tapping nor interception of communications in the following cases: a) when the matters involved are of electoral, fiscal, commercial, civil, labor or administrative nature, b) communications between defendant and his attorney.

The judiciaries shall have control judges who shall immediately and by any means solve the precautionary measures requests and investigation techniques, ensuring compliance with the rights of the accused and the victims. An authentic registry of all the communications between judges and the Public Prosecution Service and other competent authorities shall be kept.

Authorized telephone tapping and interception of communications shall be subjected to the requirements and limitations set forth in the law. The results of telephone tapping and interception of communications that do not comply with the aforesaid requirements will not be admitted as evidence.

Administrative authorities shall have powers to search private households only in order to enforce sanitary and police regulations. Administrative authorities can require the accounts books and documents to corroborate compliance with fiscal provisions, following the procedures and formalities established for search warrants. The sealed correspondence circulating through the mail shall be exempt from any search and the violation thereof shall be punishable by the law.

During peacetime, no member of the Army can be quartered in a private house against the owner's will nor impose any requirements.

During a war, soldiers can demand lodging, baggage, food and other requirements in the terms set forth by the applicable martial law.

(Reformed through a decree published on June 18, 2008)

#### Article 17

Nobody can take justice into their own hands, nor have resort to violence to enforce his rights.

All people have the right to enjoy justice before the courts and under the terms and conditions set forth by the laws. The courts shall issue their rulings in a prompt, complete and impartial manner. Court's services shall be free, judicial fees are prohibited.

(Added through a decree published on July 29, 2010)

The Mexican Congress shall enact laws to regulate collective actions. Such laws shall establish the cases in which each law applies, as well as the judicial proceedings and the remedies for redress. Only the federal judges have jurisdiction on these proceedings and remedies.

The laws shall provide alternative mechanisms to resolve controversies. Regarding to criminal matter, the laws shall regulate application of such mechanisms, ensure redress and establish the cases in which judicial supervision is required.

Oral proceedings shall end with a sentence, which shall be explained in a public hearing before the parties.

Federal and local laws shall provide the necessary means to guarantee the independence of the courts and the full enforcement of their rulings.

The Federation, the states and the Federal District must have a good public defender office and shall provide the conditions for a professional career service for the defenders. The defenders fees shall not be inferior to the public prosecutors fees.

Imprisonment shall be forbidden as a way to punish civil debts.

(Reformed through a decree published on June 18, 2008)

#### Article 18

Preventive custody shall be reserved for crimes punishable by imprisonment. Preventive prisons shall be completely separated from the prisons used for convicted persons.

(Reformed by the decree published on June 10, 2011)

Prison system shall be organized on the basis of the respect for human rights, as well as the work, training, education, health and sports as a means to achieve inmate's social rehabilitation, advising him/her not to transgress again and explaining him/her the benefits of complying with the law. Women and men shall be imprisoned in separate places.

The Federation, the states and the Federal District can make and execute agreements to send inmates to serve their sentence in prisons under a different jurisdiction.

The Federation, the states and the Federal District shall establish, within the field of their respective powers, an integral justice system for minor offenders between twelve and seventeen years of age, guaranteeing their fundamental rights recognized by this Constitution are ensured, as well as those specific rights for children. People under twelve years of age who have committed a crime shall only be subjected to rehabilitation and social assistance.

The management of this system will be organized by institutions, courts and authorities who are specialized on legal proceedings regarding teenagers. This system must give advice and protect teenagers, and shall study each particular, protecting teenager's interests.

If appropriate, alternative forms of justice may be used. Due process of law and independence among authorities in charge shall be observed whenever an adolescent is prosecuted. Measures imposed to teenagers shall be proportional to the misconduct and shall seek teenager's social and family reintegration, as well as his complete development. Confinement shall only be used as an extreme measure and for a brief period of time. Confinement can be applied only to teenagers above fourteen years old who have committed grave and antisocial behavior.

Mexicans who are serving imprisonment penalties in foreign countries may be brought to the United Mexican States to serve their sentences. Foreigners who are serving imprisonment penalties may be transferred to their countries, in accordance with international treaties. Prisoner must grant his consent for transfer.

Convicts may serve their sentence in the penitentiaries closer to their home, in order to encourage their reintegration to the community. This provision shall not be applicable to organized crime and to inmates who require special security measures.



Special centers shall be created for preventive imprisonment and for penalties regarding organized crime. The competent authority can restrict communication between accused person or prisoner and third parties in the event of organized crime, except for defender. The authority also can impose measures of special surveillance on these inmates. This provision can be applied to other inmates who require special security measures.

(Reformed through a decree published on June 18, 2008)

#### Article 19

Detention before a judicial authority in excess of 72 hours are prohibited without formal charges indicating the crime, place, time and circumstances of such crime; as well as the evidence of the crime and of the probable liability of the accused.

(Reformed by the decree published on July 14, 2011)

The Public Prosecution Service can request the judge preventive prison only when other precautionary measures are not enough to ensure the presence of the accused in his trial, the development of the investigation, the protection of the victim, witnesses or community, as well as when the accused is on trial or had been previously convicted for having committed an intentional crime. Also, the judge will order preventive prison, by its own motion, in the following cases: organized crime; deceitful homicide; rape; kidnap; trafficking in persons; crimes committed using firearms, explosives or other violent instruments; and serious crimes against national security, the right to freely develop personality and the public health.

The law shall establish the cases in which the judge can revoke liberty granted to the individuals subjected to trial.

The term to issue the detention order may be extended only at the request of the accused, according to the procedure set forth by the law. Prolonging the detention shall be sanctioned by penal law. The authority in charge of the establishment where the accused is, shall attract the judge's attention if it does not receive a copy of the detention order or the extension request in the term indicated above as soon as the term ends. If the authority does not receive the detention order within the next three hours, the accused shall be freed.

Every proceeding will treat only the crime or crimes mentioned in the detention order. If within the course of proceedings, another crime appears, it shall be charged on a separate investigation. Charge accumulation may be ordered, if appropriate.

In the event that, after the detention order has been issued for an organized crime charge, the accused evades the justice or is transferred to a foreign judge, the trial and the expiry date of the criminal action will be suspended.

Treatment during the arrest or imprisonment, any annoyance without legal justification, any tax or contribution in jails, constitute an abuse which the law shall correct and the authorities shall repress.

(Reformed through a decree published on June 18, 2008)

#### Article 20

Criminal proceedings will be accusatory and oral. It shall be ruled by the principles of open trial, contradiction, concentration, continuity and contiguity.

##### A. General principles:

I. Criminal proceedings shall aim elucidation of the facts, innocent person's protection, preventing impunity and redress.

II. In every hearing, a judge must be present. The judge cannot delegate to somebody else the submission and evaluation of evidence, which shall be done in a free and logic manner.

III. Only the evidence submitted in the hearing shall be used for the sentence. The law shall establish the exceptions for the above and the pertinent requirements.

IV. The trial shall be carried out before a judge who has not previously handled the case. All arguments and evidence shall be presented in a public, contradictory and oral manner.

V. The accuser must provide the evidence necessary to demonstrate defendant's guilt. Both parties are equal during the proceeding.

VI. No judge can talk about the trial with one of the parties without the presence of the other one, taking always into account the principle of contradiction, except for the cases predicted by this Constitution.

VII. Criminal proceeding can be terminated in advance, provided that the defendant agrees and according to the law. If the defendant, voluntarily and aware of the consequences, acknowledges his guilt and there is enough evidence to corroborate the charges, the judge shall call to a sentence hearing. The law shall establish the benefits granted to the defendant in case he accepts his guilt.

VIII. The judge shall convict only when the guilt of accused is certain.

IX. Any evidence obtained by violating the defendant's fundamental rights shall be null and void.

X. These principles shall be observed also in the preliminary hearings.

B. Defendant's rights

I. The defendant is innocent until proven guilty through a sentence issued by a judge.

II. Accused has the right to keep silent. From the moment of his arrest, the defendant shall be informed about the charges against him and his right to keep silent, which cannot be used against him. All forms of intimidation, torture and lack of communication are forbidden and shall be punished by the law. Any confession made without the assistance of a defender shall have no weight as evidence.

III. Every arrested person has the right to be informed of the grounds of arrest and of his rights at the moment of his arrest and while appearing before the Public Prosecution Service or a judge. In the case of organized crimes, the judicial authority can authorize to keep the accuser's name in secret.

The law shall establish benefits for the accused or convicted person who provides effective assistance in the investigation of felonies related to organized crime.

IV. All witnesses and any other evidence submitted by the defendant shall be admitted within the term established by law. Judicial authority shall assist defendant to enforce appearance of those witnesses whose testimony he may request, in the terms set forth by the law.

V. Defendant shall be judged in an open trial by a judge or court. This provision may be restricted for reasons related to national security, public safety, protection of victims, witnesses and minors, disclosure of legally protected data or when the court considers that it is justified to do so.

In the case of organized crime, all acts performed during the investigation shall serve as evidence when they cannot be reproduced during the trial or there is a risk for witnesses or victims. The accused has the right to object or contest such evidence.

VI. The defendant has the right to be provided with all the information on record in the proceeding for his defense.

The accused and his counsel can access to the investigation records: a) when the accused is under arrest, b) when he makes his statement or is interviewed, c) before the first hearing. Once the first hearing has been carried out, information on investigation cannot be kept in secret, except for exceptional cases determined by the law, whenever that is imperative to

ensure the success of the investigation and provided that they are revealed in time to safeguard defendant's rights.

VII. Accused shall be tried within a term of four months in the case of crimes punishable with a maximum penalty of two years of imprisonment; and within a term of one year if the crime is punishable with a penalty exceeding such term, unless he requests a longer term to prepare his defense.

VIII. Defendant has the right to a lawyer, whom he shall freely choose even from the moment of his arrest. If he does not want a lawyer or cannot appoint one, the judge shall appoint a public defender. Defendant's lawyer is obliged to appear in all the acts related to defendant's proceeding.

IX. Prison or arrest cannot be extended due to the lack of money to pay lawyer's fees or any other monetary cause, civil liability or any other similar motive.

Preventive prison cannot exceed the time established by law as maximum punishment for the crime in question. In no case, preventive prison shall exceed the term of two years, unless defendant asks for a longer time to prepare his defense. If after said term a sentence has not been pronounced, the defendant shall be freed immediately while the trial continues. However, other precautionary measures may be used.

The duration of detention counts for a sentence term.

#### C. Victim's rights:

I. The victim has the right to be informed about his rights and, whenever he should so require it, to be informed about the state of the criminal proceedings.

II. The Public Prosecution Service must receive all the evidence submitted by the victim during the preliminary criminal inquiry as well as during proceedings. The Public Prosecution Service must carry out the necessary steps to assist the victim. The victim has the right to intervene in the trial and to use the legal instruments according to the law.

Whenever the Public Prosecution Service does not consider necessary to carry out the steps required by the victim, he must state the grounds of law and fact justifying his refusal.

III. The victim has the right to receive urgent medical and psychological assistance from the moment the crime was committed.

IV. The victim has the right to redress. Whenever it should be legally admissible, the Public Prosecution Service is obliged to require redress. The victim also can request such redress by himself. The judge cannot acquit the convict of redress in the case of conviction.

The law shall set forth agile procedures to enforce redress sentences.

(Reformed by the decree published on July 14, 2011)

V. The judge must keep in secret victim's identity and other personal data in the following cases: minor involved; rape, trafficking in persons, kidnap, organized crime; and when necessary to protect the victim, always respecting the defendant's rights.

The Public Prosecution Service shall ensure the protection of victims, offended parties, witnesses and all others who take part in the trial. The judges are obliged to oversee proper compliance with this obligation.

VI. The victim can request the necessary precautionary measures to protect his rights.

VII. The victim can contest, before the judicial authority, the Public Prosecution Service's omissions in the criminal investigation, as well as the resolutions with reservation, lack of exercising, abandonment of criminal prosecution or proceeding suspension when redress has not been completed.

(Reformed through a decree published on June 18, 2008)

#### Article 21

It is the Public Prosecution Service's responsibility to investigate crimes together with police bodies, who shall work under the Public Prosecution Service's command.

The exercise of the criminal prosecution before the courts is exclusive to the Public Prosecution Service.

The law shall define the cases in which civilians can exercise criminal prosecution before the judicial authority.

Only judicial authority can impose penalties, modify them and state the pertinent term for them.

It is the administrative authority's responsibility to apply the penalties for breaking the rules. Such penalties may be fines, arrest up to thirty six hours or community work. The fine may

be exchanged by the appropriate incarceration term, which shall never exceed thirty six hours.

If the offender is a laborer, worker or employee, he may not be fined for an amount exceeding one day of wage.

If the offender is not a salaried worker, the fine shall not exceed the amount equivalent to one day of his income.

The Public Prosecution Service can state exceptions to support exercising of criminal prosecution in the cases and conditions set forth by the Law.

The President of the Mexican Republic can accept the jurisdiction of the International Criminal Court, provided that he has obtained Senate's approval.

Public security is a responsibility of the Federation, the Federal District, the states and the local councils. Public security includes prevention of crimes, investigation and prosecution, as well as punishment for breaking the administrative rules, but according to the law. Performance of the institutions in charge of public security shall be ruled by the principles of legality, objectivity, efficiency, professionalism, honesty and respect to the human rights acknowledged by this Constitution.

Institutions in charge of public security shall be of a civil nature, disciplined and professional. The Public Prosecution Service and the police forces of three government levels shall coordinate each other to guarantee public security. They shall constitute the Public Security National System, which shall be subjected to the following provisions:

- a) There should be a regulation for selection, admission, training, continuance, evaluation, appreciation and certification of the members of public security institutions. The Federation, the Federal District, the states and the local councils shall operate and develop public security actions in the field of their respective powers.
- b) There should be a criminal and personnel database. No one can be recruited unless he has been duly certified and registered in the system.
- c) There should be public policies intended to the prevention of crimes.
- d) The community shall participate in processes like evaluation of the public security institutions and the policies intended to prevent crime.
- e) Funds for public security, provided by the federal government to the states and local councils shall be used only for such goal.

(Reformed through a decree published on June 18, 2008)

Article 22

Cruel and unusual punishment is prohibited. Specifically, penalties of death, mutilation, infamy, marks, physical punishments, torture, excessive fines, confiscation of assets, and other similar. Every penalty shall be in proportion to the crime committed and to the legally protected interest.

Appropriation of assets shall not be considered as confiscation when such appropriation is ordered by the authority for the payment of taxes, fines or civil liability. Appropriation in the following cases shall not be deemed as confiscation: a) appropriation of property ordered by the judicial authority under the terms provided by Article 109 in case of illicit enrichment; b) appropriation of seized goods that were abandoned by the owner; and c) appropriation of goods, which ownership has been declared extinct by a sentence. In the event of ownership extinction, there shall be a procedure according to the following regulations:

I. Ownership extinction procedure shall be jurisdictional and autonomous from the criminal proceedings.

II. Ownership extinction procedure shall be applied in cases of organized crime, drug trafficking, kidnapping, car theft and human trafficking. Ownership extinction procedure is to be applied to the following goods:

a) Those goods that are instrument, object or product of a crime, even though criminal responsibility has not been established by a sentence, as long as there is enough evidence to determine that the crime has occurred.

b) Those goods that have been used to hide or mix crime assets, provided that the elements established in the previous clause have been met.

c) Those goods that are being used for the perpetration of a crime by a third party, if the owner was aware, but he did not notify to the proper authority or he did not try to stop it.

d) Those goods that are the property of third parties, but there are enough elements to conclude that they are the product of patrimonial or organized crime, and the accused of such felonies behaves like the owner.

III. Affected person can use the appropriate legal instrument to demonstrate the licit origin of the goods, the good faith and the ignorance about misuse of the goods.

### Article 23

No criminal trial shall have more than three levels of government. No one can be tried twice for the same crime, whether he was acquitted or convicted. The practice of acquitting is prohibited.

### Article 24

Every person is free to pursue the religious belief that best suits him, and to practice its ceremonies, devotions or cults, as long as they do not constitute a crime.

Congress cannot dictate laws that establish or abolish any given religion.

Ordinarily, all religious acts will be practiced in temples, and those that extraordinarily are practiced outside temples must adhere to law.

### Article 25

The State will plan, determine, and carry out an integral and sustainable development of the Nation, so that it strengthens national sovereignty and democracy. National development must stimulate economic growth and a fair distribution of income and wealth, it shall allow for a broader exercise of freedom and dignity of the individuals, groups and social classes.

The State shall plan, conduct, coordinate and direct national economic activity and shall carry out the regulation and promotion of the activities required by public interest within the frame established by this Constitution.

The public, social and private sectors shall contribute to the national economic development, with social responsibility, without detriment to other forms of economic activity that contribute to the development of the country.

The public sector shall be in charge, in an exclusive manner, of those strategic areas established in Article 28, paragraph fourth of the Constitution, and the Federal Government shall at all times keep ownership and control over the entities established for this purpose.

Likewise, the State may, alone or together with the social and private sectors, stimulate and organize such areas which are a priority for development, in accordance with the law.

The State shall support and stimulate social and private enterprises, under criteria of social equity and productivity, and subjected to the public interest and to the use of the productive resources, preserving them and the environment.



The Law shall establish mechanisms to facilitate organization and expansion of economic activity of the social sector: farming cooperatives (ejidos), workers organizations, cooperatives, rural communities, enterprises which are majority or exclusively owned by workers and, in general, all the different social organizations for production, distribution and consumption of such goods and services that are necessary for society.

The law shall encourage and protect economic activities carried out by private persons and shall provide the conditions required so that the private sector could contribute to national economic development, according to the terms set forth by this Constitution.

## Article 26

A. The State shall organize a democratic planning system to support national development, which shall offer solidity, dynamism, continuity and equity to the economic growth and to the political, social and cultural independence and democratization of the nation.

National objectives, included in this Constitution, shall determine national planning. National planning shall be democratic. The democratic planning system shall collect the different aspirations and demands from the whole society to include them into the development programs and plan. All the programs carried out by the federal government must be subjected to the national development plan.

The President of the Republic shall establish the appropriate procedures for people's participation and popular consultation for the national democratic planning system, as well as the criteria to prepare, implement, control and assess the development plan and programs. The law shall provide the appropriate agencies for the planning process and shall empower the President of the Republic to coordinate the activities intended to prepare and implement the national development plan, through agreements made with state governments and private persons.

The law shall define the intervention of the Congress of the Union in the democratic planning system.

B. The State shall have a National System of Statistical and Geographical Information, which shall provide official data. All data contained in this system shall be mandatory for the Federation, the states, the Federal District and the local councils, according to the law.

The National System of Statistical and Geographical Information shall be ruled and coordinated by an organism, which shall have technical and management autonomy, legal personality and its own assets. Such organism will have the necessary powers to regulate data collection, processing and publication of information.

The organism shall have a board composed by five members, one of them shall be the chairman of both, the board and the organism. The five members shall be designated by the President of the United Mexican States and approved by the Senate, or by the Permanent Committee during recess.

The law shall define the organization and functioning of the National System of Statistical and Geographical Information, according to the principles of access to information, openness, objectivity and independence. The law also shall establish the requirements to become a member of the board, as well as the tenure term and promotions.

The members of the board may be removed only due to a serious cause. They cannot have any other job, position or assignment, except for unpaid services in educational, scientific, cultural or beneficiary institutions. Board members shall be subjected to that established in the Title Four of this Constitution.

#### Article 27

The property of all land and water within national territory is originally owned by the Nation, who has the right to transfer this ownership to particulars. Hence, private property is a privilege created by the Nation.

Expropriation is authorized only where appropriate in the public interest and subject to payment of compensation.

The Nation shall at all time have the right to impose on private property such restrictions as the public interest may demand, as well as to regulate, for social benefit, the use of those natural resources which are susceptible of appropriation, in order to make an equitable distribution of public wealth, to conserve them, to achieve a balanced development of the country and to improve the living conditions of rural and urban population. Consequently, appropriate measures shall be issued to put in order human settlements and to define adequate provisions, reserves and use of land, water and forest. Such measures shall seek construction of infrastructure; planning and regulation of the new settlements and their maintenance, improvement and growth; preservation and restoration of environmental balance; division of large rural estates; collective exploitation and organization of the farming cooperatives; development of the small rural property; stimulation of agriculture, livestock farming, forestry and other economic activities in rural communities; all this avoiding destruction of natural resources.

The following elements are the property of the Nation: all natural resources of the continental shelf and the seabed of the islands; all minerals and substances that are in seams, layers, masses or deposits and that have a nature different from the components of the soil,

such as minerals from which metals and metalloids are extracted; beds with gemstones or salt; salt mines formed by sea water; the products derived from rock breaking, when their exploitation requires underground works; minerals or organic deposits susceptible to be utilized as fertilizers; solid mineral fuels; petroleum and all solid, liquid or gaseous hydrocarbons; and the space located over national territory, according to the extension and terms established by International Law.

The following elements are the property of the Nation, according to the extension and terms established by International Law: waters of the territorial sea; internal sea waters; waters of lagoons and estuaries permanently or intermittently connected with the sea; waters of natural lakes which are directly connected with streams constantly flowing; river and affluent waters, from the site where the first permanent, intermittent or torrential waters start to flow, to the mouth in the sea, lakes, lagoons or estuaries owned by the nation; waters of the continuous or intermittent currents and their direct or indirect affluent, whenever their bed serves as border of national territory or between two states, or when they flow from one state to another or cross the country's border; waters of lakes, lagoons or estuaries, which vessels, zones or shores are crossed by borderlines dividing one or more states or between the country and a neighboring country, or when the shoreline serves as a border between two states or between the country and a neighboring country; waters of springs flowing from beaches, maritime areas, streams, vessels or shores; waters extracted from mines; and the internal beds, shores and banks. Underground waters may be freely extracted by artificial works and may be appropriated by the owner of the land. However, when the public interest so require or whenever other uses are affected, the President of the Republic may regulate extraction and use of underground waters and, even, establish prohibited zones. The same criteria shall apply to other waters belonging to the nation. Any other waters not included in the foregoing list, shall be considered as an integral part of the land through which they flow. Nevertheless, if such waters are located in two or more properties, their use shall be considered as public, complying with provisions issued by the states.

Nation's property, regarding the previous paragraphs, is inalienable and imprescriptible. The President of the Republic can grant licenses for exploitation or use of these resources by private persons or companies, in accordance with the rules and conditions set forth by the laws. Legal provisions regarding the exploitation of minerals and substances mentioned in paragraph fourth, shall govern the performance and verification of such exploitation activities, regardless of the date the licenses were granted. Failure to comply such legal provisions shall cause the cancellation of the licenses. Federal Government can establish and suppress national reserves through the pertinent declaration and according to the provisions established by law.

In the case of petroleum and solid, liquid or gaseous hydrocarbons, or in the case of radioactive minerals, neither licenses nor contracts shall be granted, nor shall survive the

ones previously granted, if any. The State shall carry out exploitation of such resources under the terms set forth in the respective law. Only the State can produce, conduct, transform, distribute and supply electric power for public use. The State shall use the goods and natural resources required to serve such purpose.

Only the State can use nuclear minerals to generate nuclear energy. The State shall regulate the use of nuclear minerals. Nuclear energy will be used only for peaceful goals.

The Nation has sovereign rights and jurisdiction on the exclusive economic zone, situated outside the territorial sea. The exclusive economic zone stretches from the seaward edge of the country's territorial sea out to two hundred nautical miles from its coast. In cases where said zone should produce a superposition over the exclusive economic zones of other countries, fixing of the boundaries shall be done through agreements with such countries.

The legal capacity to own Nation's lands and waters shall be governed by the following provisions:

I. Only Mexicans by birth or naturalization and Mexican companies have the right to own lands and waters, and to obtain exploitation licenses for mines and waters. The State may grant the same right to foreigners, provided that they agree before the Department of Foreign Affairs to consider themselves as Mexicans regarding such property and not to invoke the protection of their governments in reference to said property, under penalty of forfeiting the property in favor of the country. Foreigners cannot acquire properties within the zone that covers one hundred kilometers along the international borders and fifty kilometers along the beach.

The State can authorize foreign States to acquire real estate for their embassies or legations in the same city where federal government powers reside, in accordance to the principle of reciprocity.

II. Religious associations, created in accordance with the terms provided in Article 130 and its regulatory law, can acquire, possess or manage properties essential for their religious activities.

III. Public and private charitable institutions, devoted to public assistance, scientific research, education, mutual assistance to their members, or any other lawful purpose cannot acquire other real estate than that which is essential to fulfill their objective, according to the regulatory law.

IV. Corporations based on shares can own rural lands, but only in the extension necessary to fulfill their objective.

The maximum area of land that such class of companies can hold in ownership for agricultural, livestock farming or forest activities is equivalent to twenty five times the limits specified in section XV of this Article. The law shall determine the capital structure and minimum number of shareholders so that the lands owned by each shareholder do not exceed the limits established for small rural property. All individual rural properties, based on shares, will be cumulative for this purpose. Likewise, the law shall establish the requirements for the participation of foreigners in said corporations.

The law shall establish the registration and control procedures required to comply with the provisions of this section.

V. Duly authorized banks, in accordance with the credit institution law, can have capital imposed on urban and rural properties, but they cannot hold in property or in management, any more real estate than that which is entirely necessary to fulfill their direct objective.

VI. The Federal District, the states and local councils shall have full legal capacity to acquire and possess all the real estate required for public services.

Federal and state laws shall establish the cases in which expropriation of private property is necessary for the public welfare, issuing the corresponding statement. Compensation for expropriation shall be based on the property value registered in the records of the land registry or Tax collector's office, regardless such value has been defined by the owner or by the State and tacitly accepted by owner when paying taxes. Only the increased or decreased value of said private property, due to any improvements or deteriorations made after the tax appraisal, can be subjected to assessment by experts and to judicial resolution. Objects, which value is not fixed in tax collector's office, can also be subjected to assessment by experts and to judicial resolution.

The Nation shall execute the actions established in this Article through judicial proceedings. During said proceedings and under the appropriate court's order, which shall be issued within one month, administrative authorities shall occupy, manage, auction or sell the lands or waters in question along with their appurtenances. In no case may such actions be revoked by the corresponding authorities before the execution sentence is pronounced.

VII. The legal capacity of farming cooperatives and communal land is recognized and their ownership over the land is protected, whether for human settlements or for productive activities.

The law shall protect the wholeness of the indigenous groups lands.

In order to promote respect and strengthening of the community life of farming cooperatives and communal land, the law shall protect the lands for human settlements and shall regulate the uses of communal lands, forests and waters. The State shall implement actions to improve the quality of life of in such communities.

The law shall regulate the exercise of indigenous peoples rights over their land and of joint-title farmers over their parcels, respecting their will to adopt the best conditions for the use of their productive resources. The law shall establish the procedures whereby the members of a cooperative and indigenous people may: associate among themselves or with the State or with third parties; grant the use of their lands; transfer their land rights to other members of their rural community, in the event of farming cooperative. The law shall also set forth the requirements and procedures whereby the cooperative assembly shall grant their members private rights over land. In cases of transfer of ownership, the right of preference set forth by the law shall be respected.

Within a same rural community, no member of a cooperative can hold land exceeding five percent of the total land belonging to the farming cooperative. Land ownership must always adjust to the restrictions established in section XV.

The general assembly is the supreme authority of the farming cooperative or indigenous community, within the organizational structure and powers granted by law. The communal property commission is a body democratically elected according to the terms provided by the law. It is the representative organ of the farming cooperative and the one responsible to carry out the assembly's decisions.

Restitution of lands, forests and waters to rural communities shall be done according to the terms provided in the law.

VIII. The following actions are null and void:

a) All appropriation of lands, waters and mountains from towns, villages, settlements or communities, made by political chiefs, governors or any other local authority in contravention of the law published on June 25, 1856, and other applicable laws and provisions;

b) All concessions, arrangements or sales of lands, waters or mountains, made by the Secretariat of Public Works, the Department of the Treasury or any other federal authority from the first day of December, 1876, to this date, which have illegally invaded farming cooperatives, indigenous land or lands of any other kind belonging to towns, villages, hamlets or communities.

c) All demarcation procedures, transactions, transfers or auctions performed during the period mentioned in previous paragraph and made by companies, judges or federal or state authorities, which have illegally invaded farming cooperatives, indigenous land or lands of any other kind belonging to towns, villages, hamlets or communities.

The only lands excepted from the nullity herein mentioned are those which have been distributed in accordance with the Law published on June 25, 1856, and have been owned for more than ten years, provided that the area does not exceed fifty hectares.

IX. Division or distribution made with error or vice among neighbors of a rural settlement may be annulled at the request of the three quarters of the neighbors who possess one quarter of the lands in question; or at the request of one quarter of the neighbors who possess three quarters of the lands in question.

X. Repealed

XI. Repealed

XII. Repealed

XIII. Repealed

XIV. Repealed

XV. Large rural estates are prohibited in the United Mexican States.

Small agricultural property is defined as the land which area does not exceed one hundred hectares of irrigated or damp soil per person, or the equivalent in other kind of soil.

Equivalence: one hectare of irrigated soil = two hectares of seasonal soil = four hectares of good quality pastureland = eight hectares of forest, mountain or arid pastureland.

The following properties are also considered as small agricultural property: a) up to one hundred and fifty hectares per person when the ground is dedicated to cotton cultivation if the lands are irrigated; b) up to three hundred hectares when dedicated to cultivate banana, sugar cane, coffee, henequen, rubber, palm, grapevine, olives, quinine, vanilla, cacao, agave, prickly pear or fruit trees.

Small livestock property is defined as the area that does not exceed the land necessary to maintain up to five hundred heads of big livestock or the equivalent in small livestock per person, in accordance with the law and with the fodder capacity of the soil.

When the owners or users improve the quality of land by reason of irrigation, drainage or any other works, the land will still be considered as small agricultural property, even if it exceeds the maximum limits established for good quality lands, provided that the requirements established by the law are met.

If the owner or user of a small livestock property improves the land and uses it for agricultural purposes, the area so utilized shall not exceed the limits mentioned under paragraphs second and third of this section corresponding to the quality of said lands before the improvement.

XVI. Repealed

XVII. Federal and state legislative bodies, shall enact laws establishing the procedures to transfer and divide out into plots large areas of land exceeding the limits set forth under sections IV and XV of this Article.

Excess land shall be partitioned and sold by the owner within a term of one year from the date of notification. If at the end of such term the excess land has not been transferred, it shall be sold by public auction. Under equal conditions, the right of preference established in the Statutory Law shall be respected.

Local laws shall organize the family estate, establishing which properties and goods must compose it. Family estate shall be inalienable and unencumbered.

XVIII. All contracts and concessions executed by previous governments, since 1876 to date, which have resulted in monopolization of national lands, waters and natural resources, under one sole person or company are declared subject to review, and the President of the Republic is empowered to declare any of them null and void whenever they imply a serious damage to public interest.

XIX. Based on this Constitution, the State shall establish the measures required to provide agrarian justice in a prompt and honest manner, in order to guarantee legal certainty in land ownership. The State shall provide legal advisers for farm workers.

All conflicts that could arise or are pending between two or more communities related to land limits or land ownership, are under federal jurisdiction. The law shall establish agrarian courts vested with autonomy and full jurisdiction, which shall be made up of judges proposed by the President of the Republic and approved by the Senate or by the Permanent Committee during recess period. The law shall establish an agency that provides agrarian justice to peasant farmers.



XX. The State shall provide good conditions to achieve total development in rural communities, for the purpose of creating jobs, guaranteeing welfare of the peasant population and their participation in national development. The State shall stimulate agricultural, livestock and forestry activities for optimal uses of the land through infrastructure works, supply of raw materials, credits, training and technical support. The State shall also issue the statutory law for planning, organization, industrialization and marketing of agricultural and livestock production, since these are activities of public interest.

## Article 28

In the United Mexican States, all monopolies, monopoly practices, state monopolies and tax exemptions are prohibited. Protectionist policies are also prohibited.

Consequently, the law shall severely punish, and the authorities shall efficiently prosecute: a) any concentration or hoarding of essential products in one or in few hands for the purpose of raising prices; b) any agreement, procedure or combination of both made by producers, manufacturers, merchants or service providers, with the purpose of preventing free market in order to force consumers to pay exaggerated prices, and c) in general, any exclusive and improper advantage in favor of one or more specific persons at the expense of the general public or a social class.

The laws shall establish bases to set maximum prices for articles, commodities or products considered as essential for the country's economy or for popular consumption. Such laws shall also define distribution of said articles, commodities and products, in order to prevent that unnecessary or excessive intermediation cause shortage or price increases. The law shall protect and organize consumers' interest.

The areas of the economy in direct control of the government, such as post, telegraph, oil and its derivatives, basic petrochemical industries, radioactive minerals, generation of nuclear energy, generation of electricity and other defined by the Congress of the Union are not considered to be monopolies. The State will protect areas of priority in the economy, such as satellite communications and railroads, in accordance with the Article 25 of this Constitution. This way, the State protects national security and sovereignty. The State can grant concessions or licenses, but keeping ownership of the communication means.

The State shall have the agencies and companies required to efficiently manage the strategic and priority areas, where it may participate alone or together with the private and social sectors.

The Nation will have an autonomous Central Bank with the primary objective of procuring the stability of the national currency, thus strengthening the guidance of the State in respect to national development. No authority can order the Central Bank to provide financing.

The Central Bank and its activities, such as coin minting and bill issue, won't be considered monopolies. The Central Bank shall regulate exchange rates, as well as banking and financial services. The management of the Central Bank shall be entrusted to the persons appointed by the President of the Republic and approved by the Senate or the Permanent Committee. They shall hold office for terms which duration and sequences are best suited to the autonomous exercise of their duties; they may only be removed for a serious cause and they cannot hold any other employment, position or assignment, except for those in which they act in the name of the Bank, and those unpaid activities carried out in educational, scientific, cultural or charitable organizations. The persons in charge of the Central Bank may be subjected to impeachment in accordance with the provisions established in the Article 110 of this Constitution.

Unions and workers associations will not be considered monopolies, which have been constituted to protect their own interests. Producers cooperatives or associations will not be considered monopolies either, provided that their objective is to sell directly in foreign markets the domestic and industrial products which are the main source of wealth in the region where they are produced or which are not essential products. Such associations shall always be under the supervision or protection of federal or state government and shall obtain the previous authorization from the appropriate legislative body. Such legislative bodies can repeal any authorization granted to constitute the associations in question, by themselves or by the President of the Republic's request.

Privileges granted for a given period of time to authors and artists for them to produce their pieces of work and to inventors and those individuals who improve inventions will not be considered monopolies.

The State can grant concessions for the provision of public services or for the exploitation and use of property owned by the Nation, except for the exceptions established by the law. The laws shall set forth the requisites and conditions to guarantee that licensed services will be efficient and goods will be used for society's interest.

The laws shall prevent concentration of State property in private hands. Concession of public services shall be carried out according to this Constitution.

Benefits can be granted to economic key activities, provided that such benefits general and temporary and do not impact substantially the Nation's finances. The State shall supervise application of benefits and evaluate their results.

(First paragraph was reformed by the decree published on June 10, 2011)

## Article 29

In case of invasion, serious breach of the peace or any other event which may place society in severe danger or conflict, only the President of the Republic can suspend, throughout the country or in a certain region, those constitutional rights and guarantees which may constitute obstacles to rapidly and easily face up to the situation. For this purpose, the President must consult all the secretaries and the Attorney General of the Republic, and must obtain the Congress of the Union's approval, or in the recess, the Permanent Committee's approval. Such suspension of constitutional rights and guarantees shall be temporary and general, never a suspension can be applied on a single person. If suspension of constitutional rights and guarantees is requested within the period when the Congress is working, it shall grant the necessary authorizations for the President to cope with the situation. However, if suspension is requested during the Congress recess, the Congress will be convened immediately.

(Added by the decree published on June 10, 2011)

However, the decrees enacted under the situations described in the previous paragraph cannot restrict or suspend the exercise of the following rights and principles: the right to non discrimination, the right to legal personality, the right to life, the right of personal integrity, the right of protection to the family, the right to have a name, the right to have a nationality, the children's rights, the political rights, the freedom of thought, the freedom of religion, the principles of legality and retroactivity, the prohibition on the death penalty, the prohibition on slavery and servitude, the prohibition of disappearance and torture, and the judicial guarantees that are necessary to protect these rights and principles.

(Added by the decree published on June 10, 2011)

Restriction or suspension of constitutional rights and guarantees should be based on the provisions established by this Constitution, should be proportional to the danger, and should observe the principles of legality, rationality, notification, publicity and non discrimination.

(Added by the decree published on June 10, 2011)

When the restriction or suspension of the constitutional rights and guarantees ends, because the deadline was met or the Congress so ordered, all legal and administrative measures taken during the restriction or suspension will be void immediately. The President of the Republic cannot make comments to the decree, through which the Congress revokes the restriction or suspension of the constitutional rights and guarantees.

(Added by the decree published on June 10, 2011)

The decrees enacted by the President of the Republic, during the restriction or suspension of the constitutional rights and guarantees, shall be immediately reviewed by the Supreme Court of Justice of the Nation, which shall rule on their constitutionality and validity as soon as possible.

## **CHAPTER TWO - Mexican nationals**

### Article 30

Mexican nationality is acquired by birth or by naturalization.

A. The Mexican nationals by birth are:

- I. Those born in the Mexican territory, regardless of their parents' nationality;
- II. Those born in a foreign country of Mexican parents born in national territory, of Mexican father born in national territory, or of Mexican mother born in national territory;
- III. Those born in a foreign country of Mexican parents by naturalization, of Mexican father by naturalization, or of Mexican mother by naturalization; and
- IV. Those born on board of Mexican military or merchant vessels or aircrafts.

B. The Mexicans by naturalization are:

- I. Those aliens who obtain from the Department of Foreign Affairs a naturalization card.
- II. Any foreign woman or man who marries a Mexican man or woman and establishes residence inside the Mexican territory, provided that foreigner complies with the other requirements set forth by the law for that purpose.

### Article 31

Responsibilities of Mexicans:

- I. To make their children attend public or private school to obtain pre-school, elementary and secondary education. To make their children attend military education in accordance with the law.

II. To attend civic and military instruction in the local council within days and times appointed by the City Council corresponding to their location for them to claim their rights as citizens, to be trained in weapons and to get acquainted with military discipline.

III. To join the Nation Guard, according to the pertinent organic law, in order to defend and assure the Nation's independence, territory, honor, rights and interest, as well as domestic peace and order, and

IV. To pay taxes for federal, state and local spending, in accordance with the proportions established by law.

#### Article 32

The law shall regulate the way in which Mexicans having a second nationality will exercise their rights and shall also issue norms to avoid double citizenship conflicts.

Only Mexicans by birth can perform all government employments, positions, or commissions in which the status of citizenship is indispensable.

During peacetime, foreigners shall neither serve in the Army nor in the police bodies. During peacetime, only Mexicans by birth can serve in the Army, in the Navy or in the Air Force as well as perform any employment or commission within such corporations.

The same condition applies to captains, pilots, skippers, ship engineers, flight engineers and, in general, to every crew member in a ship or an airplane carrying the Mexican flag. In the same way, only Mexicans by birth can be port harbor masters, steersmen and airport superintendents.

Mexicans shall have priority over foreigners, under equal circumstances, for all kind of concessions, employments, positions or commissions of the government in which the status of citizenship is not indispensable.

### **CHAPTER III - The foreigners**

(First paragraph was reformed by the decree published on June 10, 2011)

#### Article 33

The individuals lacking the qualities determined by Article 30 shall be considered as foreigners. They shall be entitled to the human rights and guarantees conferred by this Constitution.

(Added by the decree published on June 10, 2011)

The President of the Republic shall have the power to expel from national territory any foreigner, according to the law and after a hearing. The law shall establish the administrative procedure for this purpose, as well as the place where the foreigner should be detained and the time for that.

Foreigners may not in any way participate in the political affairs of the country.

#### **CHAPTER IV - The Mexican citizens**

##### Article 34

Mexican citizens shall be those individuals who are considered as Mexicans and fulfill the following conditions:

- I. To be at least 18 years old, and
- II. To have an honest way of life.

##### Article 35

Rights of citizens:

- I. Right to vote.
- II. Right to be elected to any public office or appointed to any employment or commission, provided that law requirements has been met.
- III. Right of assembly in order to peacefully participate in the country's political affairs.
- IV. Right to join Army or National Guard in order to defend the country and its institutions under the law.
- V. Right to petition.

##### Article 36

Responsibilities of citizens:

- I. To register himself at the respective tax office, declaring his property and profession or work. To register himself in the National Citizen Register, according to the law.

The State and the citizens shall organize and operate the National Citizen Register, which shall issue the Mexican citizen identity card.

II. To join the National Guard.

III. To vote in the popular elections according to the law.

IV. To hold a federal or state elective office, which shall never be unpaid.

V. To be councilor, electoral assistant and jury in the local council.

### Article 37

A) The Mexican nationality by birth shall never be revoked.

B) The Mexican nationality by naturalization can be revoked in the following cases:

I. If the person voluntarily acquires a foreign nationality, pretends to be foreign citizen when subscribing a public document, uses a foreign passport or accepts or uses nobility titles which imply submission to a foreign State.

II. If the person lives abroad for five years in a row.

C) Mexican citizenship can be revoked in the following cases:

I. If the person accepts or uses nobility titles issued by foreign governments.

II. If the person voluntarily provides official services to a foreign government without approval of the Federal Congress or the Permanent Committee.

III. If the person accepts or uses foreign decorations without approval of the Federal Congress or the Permanent Committee.

IV. If the person accepts titles or employment from other country's government without approval of the Federal Congress or the Permanent Committee, except by literary, scientific or humanitarian titles, which can be freely accepted.

V. If the person helps a foreigner or foreign government against the Nation in any diplomatic controversy or international court.

VI. If the person performs any other act that can be punished by citizenship evocation according to the law.

Regarding paragraphs II to IV, the Congress shall define the exceptional cases in which permits and licenses shall be considered as granted after deadline established by law has expired, by the sole application.

### Article 38

Citizens rights and prerogatives can be suspended in the following cases:

I. Unjustifiably failure to comply with the duties imposed by Article 36. This suspension shall last for one year and shall be imposed along with any other punishment which can be applied for such failure under the law.

II. If the person is on trial for a crime which deserves physical punishment. In such a case the trial counts from the date the detention order was issued.

III. If the person is serving time in prison.

IV. Due to vagrancy or customary inebriation.

V. If the person is a fugitive, from the moment in which the detention order has been issued to the moment when prosecution has expired.

VI. As a result of a sentence.

The law shall define the ways in which citizens rights will be revoked or suspended, as well as the recovery procedures.

## **TITLE TWO**

### **CHAPTER I - National sovereignty and form of state governance**

#### Article 39

The powers of the sovereignty are vested in the people. Public power comes from the people and it is institutionalized for the people's benefit. People can change or modify its form of government.

#### Article 40

It is the will of the Mexican people become a representative, democratic and federal republic, integrated by free and sovereign states, but forming a federation, established under the Constitution's principles.



(Reformed through a decree published on November 13, 2007)

#### Article 41

People exercises sovereignty through the Powers of the Union and the state powers, according to the distribution of jurisdictions. The Federal Pact foundations shall never be challenged by the states constitutions.

The legislative and the executive branches of Federal Government shall be renewed by the means of free, authentic and periodical elections. Such elections shall be subjected to the following principles:

1. Political parties shall be considered as entities of public interest. The legislation shall specify the norms and requirements for their legal registry and participation in the electoral process. National political parties shall have the right to participate at state and local elections.

The political parties main objectives shall be: a) to promote people's participation in democracy, b) to contribute to national representative positions, c) to allow access by citizens to public power, according to their programs, principles and ideas and through universal, free, secret and direct vote. Only citizens can form and join a political party. Intervention of labor unions, social associations or any other group is prohibited.

Electoral authorities can intervene in the internal issues of political parties only within the scope of the law and this Constitution.

II. Federal law shall fairly provide national political parties with all necessary resources to carry out political activities. The law shall also regulate financing system for the parties, in order to prevent private funding to prevail over public funding.

Public funding for political parties shall consist of: a) public financing directed to cover the expenses generated by their ordinary and permanent activities, b) public financing for electoral activities during electoral processes. Public funding will be provided according to the law and the following principles:

a) Public funding directed to cover ordinary and permanent activities shall be established annually according to the following method: To multiply the total quantity of citizens registered in the electoral register by sixty five percent of daily minimum wage in the Federal District. The 30% of the amount obtained by such calculus shall be equally distributed among political parties, 70% shall be distributed according to the vote percentage they have obtained at the previous House of Representatives election.

b) Public financing for electoral activities in the year when President of the Republic, senators and representatives are elected shall be equal to the 50% of public funding provided under the previous paragraph. Public financing for electoral activities in the year when only representatives are elected shall be equal to the 30% of public funding provided under the previous paragraph.

c) Public funding for specific activities, related to education, training, socioeconomic and political research and publishing activities, shall be equal to the 3% of the total public financing for all parties according to paragraph “a” per year. The 30% of the amount obtained by such calculus shall be equally distributed among political parties, 70% shall be distributed according to the vote percentage they have obtained at the previous House of Representatives election.

The law shall define limits for spending in the internal process for candidate selection, as well as for electoral campaigns. The law shall also establish limits for monetary contributions provided by sympathizers. Total amount of such contributions per year cannot exceed 10% of the limit established for the last presidential campaign expenses. The law shall also establish procedures to control and monitor the origin and use of financial resources of the parties, and shall determine the measures to punish any illegal activity in this respect.

The law shall establish procedures to help parties to pay their liabilities in the event that they lose registration, as well as to regulate the way their properties will be transferred to the State.

III. Political parties have the right to use the media permanently.

Section A. The Federal Electoral Institute shall define media time for the State and political parties at radio and television, according to the law and to the following provisions:

a) From the run-up to the election campaign until the election date, the Federal Electoral Institute shall get 48 minutes daily, distributed in 2-3 minutes segments per hour in each radio station and channel, according to the schedule defined in paragraph “d” of this section.

b) During run-up, political parties shall get, jointly, one minute per hour at each radio station and channel. Remaining time shall be used according to the law.

c) During electoral campaigns, the media shall allocate at least 85% of the time established in paragraph “a” of this section.

d) Transmissions about political parties shall be distributed between 18:00 and 24:00 hours.

e) Airtime shall be distributed among political parties in the following way: the 30% of airtime shall be equally distributed among political parties, 70% shall be distributed according to the vote percentage they have obtained at the previous House of Representatives election.

f) Political parties that are not present in the Mexican Congress shall get at radio and television only the proportional part they deserve from the 30% mentioned in the previous paragraph.

g) The Federal Electoral Institute (FEI) shall get at radio and television up to 12% of the total airtime allocated for the State. From this 12%, the Federal Electoral Institute shall allocate 50% equally to political parties. Remaining 50% shall be used by the FEI or by another federal or state electoral authority. Every political party shall distribute its airtime in the following way: a 5 minutes monthly program, and remaining airtime shall be divided into 20 seconds messages. Transmissions shall be subjected to the schedule established by the FEI according to paragraph "d" of this section. The FEI can transfer airtime from one or more parties to another in special situations.

Political parties cannot buy airtime on television or radio by themselves or through third persons.

No private individual or legal entity can buy airtime on television or radio to influence political preference, or to promote or attack certain candidate or party. Such kind of media messages that have been contracted in a foreign country cannot be transmitted in the Mexican territory.

The States and the Federal District shall issue laws to enforce observance of the provisions established in the two previous paragraphs.

Section B. During elections, the FEI shall manage to allocate airtime to the states at local radio and television, according to the law and to the following provisions:

a) In the event of state elections that coincide with federal elections, airtime for the state shall be included within the total time allocated in accordance with paragraphs "a", "b" and "c" of section "A".

b) For the rest of electoral processes, allocation shall be done according to the law and to the criteria provided in this Constitution.

c) Airtime distribution among the parties, including local parties, shall be carried out in accordance with the criteria established in section "A" and with the applicable legislation.

If the FEI considers that total airtime at radio and television granted by the previous paragraphs is not enough for its purposes or for another electoral authority's purposes, it can issue orders to cover the deficit within the powers vested to it.

Section C. In the political and election campaign advertising, the political parties cannot use terms or expressions that denigrate or insult institutions or political parties, or that slander people.

During federal and local election campaigns until the election date, all governmental advertising shall be suspended, no matter it belongs to federal, state or local government, or to the Federal District government or to any other governmental agency. The only exceptions shall be: a) informative campaigns carried out by electoral authorities, b) educational and health campaigns and c) civil protection campaigns in the event of emergencies.

Section D. The Federal Electoral Institute will punish violations of these provisions through free proceedings, which may include cancellation of transmissions at radio and television, cancellation of licenses of concessionaires that violate this law.

IV. The law shall demarcate the terms for selection and nomination processes. The law shall also establish the appropriate rules for run-up and election campaign.

The duration of the election campaign shall be ninety days for the year the President of the Republic, senators and representatives will be elected. The duration of the election campaign shall be sixty days for the year that only representatives will be elected. Never the duration of run-up to the election campaign shall exceed two-thirds of the period granted for election campaigns.

Infringement of these provisions by parties, private individuals or legal entities will be punished according to the law.

V. The State organizes federal elections through a public autonomous agency named Federal Electoral Institute (FEI), which is endowed with legal personality and patrimony of its own. The legislative branch, the national political parties and the citizens participate in the integration of the FEI. The FEI's guiding principles for election procedures shall be: certainty, legality, independence, impartiality and objectivity.

The Federal Electoral Institute shall have electoral jurisdiction and independent character regarding its decisions and functioning, and shall be professional in its performance. The FEI's structure shall include managerial, executive, technical and surveillance bodies. The main directive body of the FEI is the General Council, consisting of one President Councilor

and eight Electoral Councilors with the right to vote and to participate in debates, and of members who have the right to participate in debates, but are not entitled to vote, such members are Congressional councilors, political parties representatives and an Executive Secretary. The law shall regulate organization and functioning of the FEI's organs. The executive and technical bodies shall employ the qualified personnel necessary to professionally prepare, organize and conduct the electoral processes. The General Watchdog Office shall inspect FEI's incomes and expenses. The electoral law and its derived regulations shall regulate labor relations between the FEI and its employees. Surveillance bodies shall be integrated mainly by national political parties representatives. The district commissions shall be integrated by citizens.

The President Councilor is elected to serve for a period of six years and may be reelected once only. The Electoral Councilors are elected at phased intervals for a period of nine years, but may not be reelected. The President Councilor and the eight Electoral Councilors shall be elected through the vote of two-thirds of the members present in the House of Representatives, from among the proposals put forward by the parliamentary groups, after an open consultation. The substitutes will conclude the period in the absence of the President Councilor or any Electoral Councilor. The law shall establish the appropriate rules and procedures.

The President Councilor and the Electoral Councilors cannot hold any other employment, job or commission, but those in which they represent the General Council as well as those performed for free in educational, scientific, cultural, researching or philanthropic associations. The wage of both the President Councilor and the Electoral Councilors shall be equal to the wage granted to the Supreme Court Ministers.

The General Watchdog shall be elected through the vote of two-thirds of the members present in the House of Representatives, from among the proposals put forward by public high education institutions, according to the law. The General Watchdog is elected to serve for a period of six years and may be reelected once only. He shall be assigned to the President Councilor and shall maintain technical coordination with the Federal Government Watchdog Office.

The Executive Secretary shall be appointed by two-thirds of the General Council after his nomination by the President Councilor.

Federal law shall establish the requisites that every individual must meet in order to be appointed as the President Councilor, Electoral Councilor, the General Watchdog or the Executive Secretary of the Federal Electoral Institute. The President Councilor, the Electoral Councilors and the Executive Secretary cannot hold a public office within the two years after termination of their duties in the FEI.

Congressional councilors shall be appointed by parliamentary groups with party affiliation in any of the two Chambers of Congress, at a ratio of one per registered party or coalition, even though the respective political party is represented at both Chambers of Congress.

The FEI attributions are the following, among others established by law: a) to provide civic education and training; b) to periodically determine and revise the electoral geography; c) to register national political groups and parties, as well as guard their rights and prerogatives; d) to elaborate and update the Federal Registry of Voters and issue the voting card; e) to design, print and distribute all electoral materials; f) to prepare elections; g) to count the electoral results; h) to declare the validity and grant certificates in the elections for senators and representatives; i) to count the electoral results in the election for the President of the Republic; and j) to regulate the electoral observation and the opinion surveys and polls. The deliberations performed within all collegial directive boards shall be public under federal law.

The General Council shall have an autonomous technical department to oversee and audit parties resources. The chief of this technical department shall be appointed by two-thirds of the General Council after his nomination by the President Councilor. The law shall establish organization and functioning of this organ, as well as the procedures to impose sanctions by the General Council. In order to carry out its liabilities, the technical department shall not be limited by the bank secrecy, the fiduciary secrecy or the fiscal secrecy.

State electoral authorities shall be supported by the technical department in order to obtain financial information from the parties without the limitation of the bank secrecy, the fiduciary secrecy or the fiscal secrecy.

The Federal Electoral Institute shall organize local elections under covenants made and executed with the states and according to the law.

VI. A judicial appeal system shall be established in accordance to this Constitution and the law in order to protect the constitutionality and the legality principles, under which electoral decisions and resolutions must be made. Such system shall provide definitive resolutions in every stage of election process and shall protect the citizens political right to vote, right to be elected and right to assembly, according to the Article 99 of this Constitution.

Appeals will not suspend the appealed resolution or act.

## **CHAPTER II - Composition of Composition of the Federation and Mexican territory**

### **Article 42**

National territory is composed of:

- I. The territory belonging to the states.
- II. The territory of islands, including the reefs and cays in adjacent seas.
- III. The territory of the islands of Guadalupe and Revillagigedo located in the Pacific Ocean.
- IV. The continental shelf and the seabed of the islands, cays and reefs.
- V. The waters of the territorial seas in the extension and under the terms established by the International Law and domestic maritime laws.
- VI. The air space located above national territory, in the extension and with the particularities established by the International Law.

(Reformed by the decree published on April 13, 2011)

#### Article 43

The Mexican territory is comprised of the following states: Aguascalientes, Baja California, Baja California Sur, Campeche, Coahuila de Zaragoza, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, State of Mexico, Michoacán, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz, Yucatán, Zacatecas and the Federal District.

#### Article 44

The Mexico City is the capital of the United Mexican States. Mexico City is also the Federal District, seat of the federal government. It shall be integrated by its current territory. In the event that federal government has to be moved to another place, Mexico City will be a part of the State of Valle de México. The Congress shall set down the limits and territorial extension for the new State.

#### Article 45

The states will keep their current borders and extensions, as long as there is not a controversy about it.

#### Article 46

The states may settle their borders through amicable agreements, but such agreements shall not be effective unless authorized by the Senate.

If no agreement is achieved, any of the parties involved can go to the Senate, who shall proceed as provided by the Article 76, part XI of this Constitution.

Senate's resolutions shall be definitive and irrefutable. The interested party can file a constitutional controversy before the Supreme Court of Justice of the Nation about the conflicts brought on by the decree of the Senate.

#### Article 47

The State of Nayarit shall have the territorial area and boundaries which presently comprise the territory of Tepic.

#### Article 48

Federal government shall be in charge of: a) all the islands, cays and reefs within the adjacent seas belonging to national territory; b) the continental shelf; c) the seabed of islands, cays and reefs; d) territorial seas; e) inland maritime waters and f) the space located above the national territory; except by the islands that belong to the states.

### **TITLE THREE**

#### **CHAPTER I - Division of power**

##### Article 49

The political authority or power is shared by the executive, the legislature and the judiciary.

Two or more of these powers cannot be united in one single person or corporation, nor shall the legislative branch be vested in one single person, except for the case where extraordinary powers are granted to the President of the Republic as provided in Article 29. In no other case, except as provided under the second paragraph of Article 131, shall extraordinary powers be granted to legislate.

#### **CHAPTER II - The legislature**

##### Article 50

The legislative power is vested in a Congress of the United Mexican States, which shall consist of a Senate and House of Representatives.



## SECTION I

### Elections and inauguration of the Congress

#### Article 51

The House of Representatives shall be composed of members chosen every third year by the people of the several states. For each representative, a substitute shall be elected.

#### Article 52

The House of Representatives shall be integrated by 300 members, who shall be elected according to the principle of majority voting through the uninominal voting system in all the electoral districts; and 200 members chosen according to the principle of proportional representation, using a system of regional lists and majority rule with representation for the electoral minority in proportion to the way the people vote.

#### Article 53

The borders separating the 300 electoral districts from each other shall be set down after dividing the country's population by the number of districts, taking into account the most recent census. Each state shall have at least two representatives elected under the principle of majority voting.

In order to elect 200 representatives under the principle of proportional representation, using a system of regional lists, five electoral districts shall be established in the country. The law shall set down the ways in which such territorial division will be made.

#### Article 54

The election of 200 representatives under the principle of proportional representation, using a system of regional lists, shall be subjected to the following principles:

I. To register its regional list, a political party must prove that it participates with candidates to the House of Representatives to be elected by the principle of majority voting in at least two hundred uninominal districts.

II. Every political party attaining at least two percent of the total votes casted for the regional lists shall be entitled to have representatives under the principle of proportional representation.

III. The political party complying with the two principles above established, shall have appointed the number of representatives from the list corresponding to each plurinominal district, according to the way the people vote. The order established in the regional lists shall be respected for appointments.

IV. No political party shall have more than 300 representatives, no matter which principle they have been elected under.

V. The political parties shall never have a number of representatives, which percentage of the House exceeds by eight points the percentage they have obtained in vote. This restriction shall not be applied to the political party that, due to its electoral victories at uninominal districts, obtains a percentage of seats greater than the addition of the percentage obtained in national vote plus eight percent.

VI. After that seats have been distributed according to previous paragraphs III, IV and V, the leftover proportional representation seats shall be awarded to the remaining political parties which have a right in each one of the plurinominal district, in proportion to the way the people vote. The law shall regulate procedures and formalities to apply this article's principles.

## Article 55

### Requirements to be a Representative:

I. To be a Mexican national by birth in the full exercise of his rights.

II. To have attained to the age of twenty one years on the election date.

III. To be an inhabitant of that state in which he shall be chosen for at least six months before the election date.

In order to qualify for registration in the regional lists of plurinominal districts, the candidate must be a native of one of the states included in such plurinominal district, or be an inhabitant of that district for at least six months prior to the date of the election.

Residence is not lost in cases where absence is by reason of serving as holder of an elective public office.

IV. To be free of duties at the Army, law enforcement agencies and rural police forces with jurisdiction over the electoral district in which the election is going to take place, at least ninety days before the election date.

V. Not to be in charge of one of the organs, granted with autonomy by this Constitution. Not to be Secretary or Undersecretary of the State. Not to be in charge of one of the decentralized organs of the federal government, unless the candidate is definitely separated from his duties at least 90 days before election date takes place.

In order to be a representative, the candidate must not to be: a) minister in the Supreme Court, b) judge, c) Secretary in the Electoral Court of the Judicial Power of the Mexican Federation, d) President Councilor or Electoral Councilor in the Federal Electoral Institute, e) Executive Secretary or manager in the FEI, unless the candidate is definitely separated from his duties at least three years before election date takes place.

State Governors and the Federal District Mayor cannot be elected to represent the states over which they have jurisdiction, even though they definitely separate themselves from their duties.

State Secretaries, the Secretaries of the Federal District, the federal or state judges, the judges of the Federal District, the mayors and persons in charge of any political-administrative entity in the Federal District, cannot be elected in the states where they exercise their respective duties, unless they resign their positions definitively at least ninety days before the election.

VI. Not to be priest or minister of any religion.

VII. To be unaffected by the inabilities established under article 59.

#### Article 56

The Senate shall be composed of 128 senators, two Senators from each state and the Federal District elected in accordance to the principle of majority voting and one Senator shall be apportioned to the largest minority. For this purpose, political parties must register a list with two sets of candidates. The largest minority seat shall be granted to the set of candidates heading the list of the political party that shall have attained the second place in the number of votes casted in the corresponding state.

The remaining thirty two senators shall be elected under the principle of proportional representation, through the system of lists voted in one sole national plurinominal district. The law shall establish the regulations and formalities that shall be applied for these purposes.

The Senate shall be totally renewed every six years.

#### Article 57

There shall be an elected substitute for each senator.

#### Article 58

The Senators shall fulfill the same requirements than the Representatives, except by the age. All senators must be at least 25 years old on the election date.

#### Article 59

Senators and Representatives to the Congress of the Union may not be reelected for the immediately following term.

Substitute Senators and Representatives may be elected as incumbents for the immediately following term, provided that they have not held office as incumbents. However, incumbent senators and representatives cannot be elected for the immediately following term as substitutes.

#### Article 60

The Federal Electoral Institute (FEI) shall declare the validity of the elections of both, representatives and senators in each one of the uninominal districts, as well as in each state. The FEI shall also issue the respective certificates to the registered candidates who have obtained the majority of votes. The FEI shall appoint the senators corresponding to the largest minority, according to the Article 56 of this Constitution and the law. Likewise, the FEI shall declare validity of the election and shall appoint the representatives corresponding to the principle of proportional representation, in accordance to the Article 54 of this Constitution and the law.

The resolutions made on validity of the election, on awarding certificates and on appointed representatives or senators can be appealed before the regional courts of the Electoral Court of the Judicial Power, according to the procedures established by law.

The regional court's rulings may be reviewed only by the High Court of the Electoral Court of the Judicial Power, through the appeals submitted by political parties, provided that such offences could modify an election result. The verdicts given by the High Court of the Electoral Court of the Judicial Power shall be definitive and irrefutable. The law shall establish the conditions, requirements and formalities for such appeal system.

#### Article 61

Representatives and senators shall be above criticism related to their opinions in the performance of their duties, they may never be questioned for such opinions.

The speaker of each House shall be responsible for enforcing respect to House members constitutional immunity and to the inviolability of the House.

#### Article 62

No Senator or Representative shall, during the time for which he was elected, be appointed to any federal or state government office which grants emolument without a license granted by the respective House. In such case, representative duties shall be suspended for as long as their new occupation lasts. The same rule shall be applied to the substitute representatives and senators if they have been called to service. Removal from office shall be the punishment imposed on any offender of this article's rules.

#### Article 63

In order to open sessions and to exercise the duties of the offices, the House of Representatives and the Senator shall have more than 50% of attendance of the total number of their members. Those present shall compel the absentees to attend within the next thirty days, under penalty of being removed from the seat. In such case, the substitutes shall be called, who must appear within the next thirty days. In the event that substitute does not appear either, the seat shall be declared vacant. All vacancies shall be filled, no matter vacancy was generated at the beginning of legislature or during exercising. Regarding Representatives or Senators elected under the principle of majority voting, the respective House shall call extraordinary elections according to the Article 77, paragraph IV of this Constitution. Regarding representatives appointed by the principle of proportional representation, vacancy shall be filled by the next candidate in the list of the party in question. Regarding Senators appointed by the principle of proportional representation, vacancy shall be filled by the next candidate in the list of the party in question. Regarding Senators appointed by the principle of largest minority, vacancy shall be filled by the second candidate in the list of the party in question of the respective state.

Representatives and Senators shall inform their Speaker about absences. Any Representative or Senator who have been absent from his duties for ten days in a row without the permit of the Speaker shall not be allowed to take his seats back until the opening of the following period of sessions. In such a case, substitutes shall be called to service.

In the event of lack of quorum in either House, the substitute shall be called immediately to attend as promptly as possible, while the aforesaid thirty days term elapses.

Absent Representative or Senator, who does not have previous permit, shall be liable and subjected to the penalties established by the law. National political parties shall also be liable

and subjected to the penalties set forth by the law if order their candidates not to appear in the respective House to perform their duties.

#### Article 64

Representatives and Senators who, unjustifiably and without a permit, are absent from one session, shall not be entitled to claim any wage for that particular day.

#### Article 65

The Congress shall assemble every year on September 1, for the first ordinary period of sessions, and on February 1st for the second ordinary period of sessions.

In both periods of sessions, the Congress shall study, discuss and vote the bills submitted thereto and shall resolve any other affairs pertaining to it according to this Constitution.

The Congress shall preferably devote itself to the issues established by its Organic Law.

#### Article 66

Each ordinary period of sessions shall last as long as necessary to solve the affairs mentioned at the previous article. The first period cannot be extended beyond December 15 of the respective year, except on those years when according to Article 83, a new President of the Republic is going to be inaugurated. In such a case, sessions may be extended until December 31. The second period shall not be extended beyond April 30 of the respective year.

If no agreement is reached by both Houses about the date to close sessions, then the President of the Republic shall resolve the dispute.

#### Article 67

The Congress or just one of the Houses, when dealing with an issue under its exclusive jurisdiction, shall assemble in extraordinary period of sessions at the Permanent Committee's request. In such case, the Congress shall only resolve the issue or issues submitted by the Permanent Committee and indicated in the notification.

#### Article 68

Both Houses shall be located at the same place and shall not be moved to a different one without a previous agreement on moving, period and procedure, but both Houses must reside in the same site. If no agreement is reached on the transfer's duration, procedures and place, the President of the Republic resolve the issue by choosing one of the alternatives. No

House shall adjourn sessions for more than three days without the explicit consent from the other one.

(First paragraph has been reformed through a decree published on August 15, 2008)

#### Article 69

Every year, at the opening of the first ordinary period of sessions, the President of the Republic shall provide a written report, indicating the state of the country's public administration. At the opening of an extraordinary period of sessions of the Congress, or only of one of the Houses, the Speaker of the Permanent Committee shall inform about the reasons leading to such extraordinary period of sessions.

(Added through the decree published on August 15, 2008)

Each of the Houses shall analyze the report and can request the President of the Republic to expand on the information through written questions. The Houses can summon the Secretaries, the Attorney General and the chairmen of decentralized entities, who shall appear before the Congress to report under oath. The law and regulations of the Congress shall rule this attribution.

#### Article 70

Every resolution of the Congress shall have force of law or decree. Laws and decrees shall be communicated to the President of the Republic by a document signed by the Speakers of both Houses. Laws and decrees shall be enacted as follows: "The Congress of the United Mexican States decrees: (text of the respective law or decree)".

The Congress shall issue a law that will regulate its own structure and internal functioning.

Such law shall specify the ways and procedures allowing associations of representatives to be formed according to their party affiliation in order to protect the freedom of speech of all ideological trends represented at the House of Representatives.

Such a law shall never be vetoed nor require to be enacted by the President of the Republic in order to enter into force.

#### SECTION II - Bills and law enactment

#### Article 71

The ones who have the right to propose laws or decrees are:

I. The President of the Republic

II. The representatives and senators

III. The state legislatures.

(Reformed by the decree published on August 17, 2011)

The bills submitted by the President of the Republic, the state legislative bodies or their commissions shall be referred to a committee. The bills brought by representatives or senators shall be subject to the procedure established by the Congress Act and its regulations.

(Reformed by the decree published on August 17, 2011)

## Article 72

Every single bill shall be discussed successively at both Houses, except by the issues that are within the exclusive jurisdiction of one of the Houses. The House shall observe the methods, periods of time and debating and voting procedures established by the Congress Act and its regulations.

a) After being approved by one of the Houses, every bill shall be submitted to the other one in order to be discussed there. If the second House approves it, the bill shall be submitted to the President of the Republic who, after deciding that no further corrections should be made, shall publish it without delay.

(Reformed by the decree published on August 17, 2011)

b) A bill forwarded to the President of the Republic which is not returned by him with his objections to the House where it was originated within 30 calendar days of the receipt, shall be deemed approved. After such term, the President of the Republic shall pass and publish the law or decree in the following 10 calendar days. After this second term, the law or decree shall be deemed enacted; then, in the following 10 calendar days, the President of the House, where the bill was originated, shall order publication of the law or decree in the Official Gazette of the Federation, without requiring endorsement. These deadlines shall not be suspended if the Congress closes or adjourns its sessions. In this case, the President of the Republic shall return the bill to the Permanent Committee.

c) Any bill rejected partially or totally by the President of the Republic shall be returned with the respective corrections to the original House. The bill shall be discussed again in such House and, if confirmed by a two-thirds majority of votes, it shall be submitted again to the reviewer House. If a two-thirds majority of votes supports the bill at the second House, it



shall be considered as enacted law or decree and shall be sent to the President of the Republic in order to be published.

Voting for enacting laws or decrees shall be nominal.

d) If any bill is rejected in whole by the reviewing House, it shall be returned to the House where it was originated with the appropriate objections. The bill shall be again discussed in said House and, if approved by the absolute majority of its members present, it shall return to the House that rejected it, which shall analyze it again. If the second House approves the bill by the same majority, it shall be submitted to the President of the Republic, who has to comply the purposes of paragraph “a”. If the second House does not approve the bill, it shall not be reintroduced in the same period of sessions.

e) Any bill partially rejected, modified or added by the reviewing House, the new discussion in the original House shall be focused on the rejected, reformed or added parts, leaving the already approved articles unchanged. If the additions or reforms made by the reviewing House are approved by absolute majority in the original House, the whole bill shall be submitted to the President of the Republic, who has to observe the provisions established in paragraph “a”. If the additions or reforms made by the reviewing House are rejected by majority of the members attending the original House, the bill shall be returned to the reviewing House which shall study the reasons of the first House. If those additions or reforms are rejected again after a second review, the part of the bill approved by both Houses shall be sent to the President of the Republic, who has to observe the provisions established in paragraph “a”. If the absolute majority of the attending members at the reviewing House insists on enacting the additions and reforms, the whole bill shall be postponed until a the new period of sessions, unless the absolute majority of attending congressmen at both Houses agrees on enacting only the approved articles of the bill and on submitting additions or reforms to the next period of sessions.

f) Regarding interpretation, reforms and repeal of laws or decrees, the same formalities established for enacting them shall be observed.

g) Any bill rejected in the first House shall not be reintroduced in other period of sessions corresponding to the same year.

h) Either of the two Houses can propose a law or decree first, except by the bills about debenture loans, taxes or conscription, which shall be discussed first at the House of Representatives.

i) If the Consultative Commission of the first House delays to present an opinion about the bill for more than one month, then the bill can be submitted to the other House for discussion.

j) The President of the Republic cannot make comments on the resolutions of the Congress or any of the Houses when act as electoral body or judge, as well as when the House of Representatives charges a top-ranking official with official offences.

The President of the Republic cannot make comments on the decree of call for extraordinary period of sessions issued by the Permanent Committee.

### SECTION III - Powers of Congress

#### Article 73

The Congress shall have the power to:

I. Admit new states into the Union.

II. Repealed.

III. Create new states inside the limits of the existing ones. For this purpose, the following requirements must be met:

1st The fraction or fractions that intend to a new state must have at least 120 thousand inhabitants.

2nd The fraction or fractions that intend to become a new state shall prove, before the Congress, that possess enough elements to assure the new state's political existence.

3rd The legislatures of the states involved shall submit a report to the Congress, within the six months after notification was sent to them, about usefulness or inappropriateness of creation of the new state.

4th The President of the Republic must submit a report to the Congress within the seven days after notification about usefulness or inappropriateness of creation of the new state.

5th Proposal of creation of the new state shall obtain the two-thirds of the votes in each House.

6th The ruling pronounced by the Congress shall be ratified by majority of the state legislatures after reviewing of the file, provided that legislatures of the affected states have approved such ruling.

7th In the event that legislatures of the affected states do not consent creation of a new state, then ratification mentioned in the previous paragraph shall be done by two-thirds of the legislatures of the rest of the states.

IV. Repealed.

V. Move seat of Federal Government.

VI. Repealed.

VII. Lay and collect taxes in order to fund national budget.

VIII. Establish the basis in order to allow the President of the Republic to make debenture loans based on the country's credit. The Congress shall have the power to approve such debenture loans, to accept the foreign debt and to order payment of such foreign debt. Only credits producing an increase in public revenue shall be contracted, except by those acquired for monetary regulation purposes, for exchange purposes and those acquired to face an emergency situation stated by the President of the Republic according to the Article 29. The Congress shall also have the power to annually approve debt amount, which shall be included in the Revenue Law, for the Federal District Government and the government agencies, according to the applicable law. The President of the Republic shall submit to the Congress an annual report about the spending of the debt. For this purpose, the Federal District Mayor shall submit to the President a report about the spending corresponding to the Federal District. The Federal District Mayor shall also inform the Federal District Assembly about such spending together with the report of the public spending.

IX. Regulate commerce among nations in order to avoid restrictions.

X. Make rules and regulations over the whole country on hydrocarbons, mining, chemical substances, explosives, pyrotechnics, movie industry, commerce, bets, draw and raffles, intermediation and financial services, electrical and nuclear energy, and labor relations.

XI. Create and cut public jobs in federal government, as well as to establish, increase or decrease salaries for such jobs.

XII. Declare war, based on the information submitted by the President of the Republic.

XIII. Enact laws that assess quality of maritime and land dams, and the maritime legislation that shall be applied at both, peacetime and wartime.

XIV. Support and maintain the country's armed forces: the Army, the Navy and the Air Force. The Congress shall have the power to regulate organization and service of these armed forces.

XV. Make rules and regulations that organize, arm and discipline the National Guard. However, citizens participating in the National Guard shall appoint its chiefs and officers, and the states shall train its own National Guard.

XVI. Enact laws on nationality, legal status of foreigners, citizenship, naturalization, colonization, immigration and public health:

1st The General Board of Health shall report directly to the President of the Republic, without intervention of any government department. Orders, regulations, measure and provisions issued by the General Board of Health shall be compulsory for the whole country.

2nd In the event of serious epidemic or risk of invasion of exotic diseases, the Secretariat for Public Health shall issue immediately the appropriate measures, which shall be approved by the President of the Republic.

3rd The Secretariat for Public Health shall be an executive organ, its orders, regulations, measures and provisions shall be observed by the administrative authorities throughout the country.

4th Measures issued by the General Board of Health for campaigns against alcoholism, drugs and pollution shall be reviewed, after the campaign, by the Mexican Congress if applicable.

XVII. Enact laws on communal communication routes, mail services and the use of federal waters.

XVIII. Establish mints and regulate them, to make rules to determine exchange rate, and to adopt a general system of weights and measures.

XIX. Regulate occupation and alienation of the areas of waste land, as well as the price thereof.

XX. Enact laws to regulate the Mexican diplomatic and consular bodies.

(First paragraph was reformed by the decree published on July 14, 2011)

(First paragraph has been reformed through a decree published on May 4, 2009)

(First paragraph has been reformed through a decree published on June 18, 2008)

XXI. Define offences against the country and the punishments to be applied. The Congress shall have the power to enact federal laws to fight kidnapping and trafficking in persons, which shall establish, at least, the different kinds of kidnapping and trafficking in person, the punishment to be applied, the powers of the different levels of government and coordination ways between the federal, state and local agencies and the Federal District's agencies. The Congress shall also have the power to legislate on organized crime matter.

Federal authorities shall be notified about common crimes when they are connected with federal crimes.

Also, federal laws shall establish the cases in which local authorities shall resolve federal crimes because of concurrence of crimes established in this Constitution.

XXII. Grant an amnesty for federal crimes.

(Reformed through the decree published on June 18, 2008)

XXIII. Enact laws to regulate coordination between the Federal Government, the Federal District, the states and the local councils, as well as to create and organize federal public security bodies, according to the Article 21 of this Constitution.

XXIV. Enact a law to regulate, control and evaluate the Department of the Treasury, the Powers of the Union and the federal agencies.

(Reformed by a decree published on April 30, 2009)

XXV. Set, organize and maintain throughout the country rural schools, elementary schools, secondary schools, high schools, universities, scientific research education, art schools, technical schools, schools specialized in agriculture and mining, colleges for study of arts and crafts, museums, libraries, observatories, and other institutions related to general culture.

The congress shall have power to legislate about: a) fossil vestiges; b) archaeological, artistic and historical monuments, which conservation belongs to national interest matters; c) distribution of educational liabilities among the Federal Government, the Federal District, the states and the local councils, as well as financing for such service, seeking for standardization and coordination of educational programs. Academic certificates issued by public institutions shall be valid and accepted throughout the country. The Congress shall have the power to regulate copyrights and patents.

XXVI. Authorize the President of the Republic separation from duty. The Congress shall have power to become an electoral college and elect a substitute for the President of the Republic, either as substitute, interim president or provisional president, in accordance with the Articles 84 and 85 of this Constitution.

XXVII. Accept the President of the Republic's resignation.

(Added through a decree published on May 7, 2008)

XXVIII. Enact laws to regulate public accounts and submission of financial reports, as well as patrimony reports, which shall apply to the Federal government, the states, local councils and the Federal District.

XXIX-A. To lay and collect taxes on the following items:

1st Foreign trade.

2nd The use of natural resources mentioned in the Article 27, paragraphs 4 and 5.

3rd Credit institutions and insurance companies.

4th Public services, either provided by concessionaires or by the government.

5th The Congress shall have the power to lay and collect special taxes on:

a) Electrical energy.

b) Production and consumption of carved tobacco.

c) Gasoline and other products derived from oil.

d) Matches

e) Maguey juice and its products.

f) Forest exploitation.

g) Production and consumption of beer.

The states shall receive, under federal legislation, a percentage of the revenue generated by the special taxes. Local legislatures shall set the percentage corresponding to local councils, in their income from tax over electric power service.

XXIX-B. Regulate characteristics and use of the national flag, anthem and coat of arms.

XXIX-C. To regulate coordination between the Federal Government, the states and the local councils to order human settlements, complying this way with the goals established the Article 27, in paragraph 3, of this Constitution.

XXIX-D. Enact laws regarding national economic and social planning, as well as statistical and geographical information.

XXIX-E. Enact laws for programming, promotion, covenants and implementation of economic measures, especially those related to supply, as well as those intended to achieve adequate and timely production of goods and services, considered as socially necessary.

XXIX-F. Enact laws: a) to promote Mexican investment; b) to regulate foreign investment and transfer of technology; and c) to regulate generation, spreading and implementation of scientific and technological knowledge necessary for the country's development.

XXIX-G. Enact laws establishing the concurrence of the Federal Government, the states and the local councils, within their respective jurisdictions, on matters concerning protection of the environment, as well as preservation and restoration of ecological balance.

XXIX-H. To legislate for the creation of completely autonomous administrative courts empowered to resolve the legal controversies between the federal public administration and individuals. Administrative courts shall impose penalties on public employees originated by administrative liabilities. The law shall establish regulations for organization, functioning and proceedings of administrative courts. The law shall also define the legal instruments to be used to appeal administrative courts rulings.

XXIX-I. Enact laws that coordinate the measures implemented by the Federal Government, the states, the Federal District and the local councils regarding civil protection matter.

XXIX-J. Legislate on matters concerning sports, establishing general bases to coordinate the concurrent attributions of the Federal Government, the states, the Federal District and the local councils; as well as the participation of the private and social sectors.

XXIX-K. Legislate on matters concerning tourism, establishing general bases to coordinate the concurrent attributions of the Federal Government, the states, the Federal District and the local councils; as well as the participation of the private and social sectors.

XXIX-L. Legislate on matters concerning fishing and aquaculture, establishing general bases to coordinate the concurrent attributions of the Federal Government, the states, the Federal District and the local councils; as well as the participation of the private and social sectors.

XXIX-M. Enact laws in matters of national security, establishing the requirements and limits to the corresponding investigations.

XXIX-N. Issue laws regarding the formation, organization, functioning and suppression of cooperatives. These laws shall establish the bases to coordinate the concurrent attributions of the Federal Government, the states, the Federal District and the local councils regarding promotion and sustainable development of cooperatives.

(Added through a decree published on April 30, 2009)

XXIX-Ñ. Legislate on matters concerning culture, establishing general bases to coordinate the concurrent attributions of the Federal Government, the states, the Federal District and the local councils, except by that established in the section XXV of this article. This law shall also define the mechanisms through which social and private sectors shall participate, complying this way with the goals indicated in the Article 4, paragraph ninth, of this Constitution.

(Added through a decree issued on April 30, 2009)

XXIX-O. Regulate the use and protect personal data handled by private entities.

XXX. Enact all laws required to make effective the foregoing powers and any other powers vested by this Constitution on the Powers of the Union.

#### Article 74

The Constitution grants the House of Representatives several exclusive powers:

I. The power to issue the Solemn Edict in order to inform the whole country that the Electoral Court of the Judicial Power has issued a declaration stating that the President of the Republic has been elected.

II. The power to coordinate and evaluate performance of the Federal Auditing Office, according to the law and without damage to its own technical and managerial autonomy.

III. Repealed.

(First paragraph has been reformed through a decree published on May 2008)

IV. The power to annually approve the Nation's budget, after assessment, discussion and, if applicable, modification of the project submitted by the President of the Republic; and after approval of taxes and contributions to cover such budget. The House of Representatives shall



have the exclusive power to authorize multiannual expenditures for construction of infrastructure, so subsequent budgets shall include these multiannual expenditures.

The President of the Republic shall submit to the House of Representatives his proposal of the Income Act and the Expenditure Budget no later than September 8, the pertinent Secretary shall appear before the House in order to clarify the accounts. The House of Representative shall approve the Budget no later than November 15.

In the first year of the President of the Republic's term of office, he shall submit to the House of Representatives his proposal of the Income Act and the Expenditure Budget no later than December 15.

Only the absolutely necessary secret items may be included in the Expenditure Budget. The Secretaries shall use such secret items under written consent of the President of the Republic.

(These paragraphs were repealed through a decree published on May 7, 2008)

Repealed

Repealed

Repealed

(Reformed through a decree published on May 2008)

The President of the Republic can request an extension to submit his proposal of the Income Act and the Expenditure Budget, justifying the causes. The pertinent Secretary shall appear before the House to inform about the reasons for extension.

V. The power to approve or object criminal proceedings against civil servants who have committed an offense according to the Article 111 of this Constitution.

The House of Representatives shall be notified about the charges against public employees mentioned in the Article 110 of this Constitution. The House shall have the power to become an accusing organ in impeachments against civil servants.

(Added through a decree published on May 7, 2008)

VI. The power to review the public accounts corresponding to the previous year, in order to assess the results thereof, to check observance of the criteria stated in the approved budget, and to verify achievement of the objectives indicated in the several programs.

The House of Representatives shall review the public accounts through the Federal Auditing Office. If this office finds out discrepancies related to revenues or expenditures, or if it finds out inaccuracy or unjustified revenues or expenditures, the law shall be applied to punish misconduct. Regarding achievement of the objectives stated in the several programs, the House can only issue a recommendation in accordance to the law.

Public account shall be submitted to the House of Representative no later than April 30 of the next year. This term may be extended only in the case mentioned in paragraph IV, last rows, of this Article. Extension shall not exceed 30 days. In such case, the Federal Auditing Office shall have the same extension to present the respective report.

The House of Representatives shall conclude review of public account no later than September 30 of the year following its presentation, taking into account the analysis and conclusions presented by the Federal Auditing Office (see Article 79 of this Constitution). Formalities for comments, recommendations and measures proposed by the Federal Auditing Office shall continue, despite the deadline indicated above.

The House of Representatives shall evaluate performance of the Federal Auditing Office, the House can require it to report about the progress of the auditing process.

VII. Repealed.

VIII. Other exclusive powers conferred by this Constitution.

#### Article 75

The House of Representatives shall indicate, in the Expenditure Budget, the wages for all public employments created under the law. In the event that the House fails to indicate such wages, the wages established in the previous Budget or in the law that created the job shall be in force.

(Added through a decree published on August 24, 2009)

Nonetheless, remuneration shall be established observing the provisions of the Article 127 of this Constitution and the applicable laws.

(Added through a decree published on August 24, 2009)

The federal executive, legislative and judicial branches, as well as autonomous bodies recognized in this Constitution, and which exercise resources of the Expenditure Budget, shall include in their project budgets detailed tables of remunerations proposed for their public servants. Such project budgets shall observe the procedure for approval of budget

expenditures provided in the Article 74, paragraph IV of this Constitution and other applicable laws.

## Article 76

The Constitution grants the Senate several exclusive powers:

I. Power to analyze the foreign policy developed by the President of the Republic, based on the annual reports submitted by the President and the Secretary of Foreign Affairs.

The Senate shall have the power to approve the international treaties and conventions subscribed by the President of the Republic, as well as his decision to end, condemn, suspend, modify, amend, withdraw reservations and make interpretative declarations related such treaties and conventions.

II. Power to ratify appointments of the Attorney General, ministers, diplomatic agents, consuls general, top-ranking officials of the Department of the Treasury, colonels and other top-ranking officers of the Army, Navy and Air Force, proposed by the President of the Republic.

III. Power to authorize the President of the Republic to allow departure of Mexican troops outside the country, passing of foreign troops through the country and stay of foreign troops for more than one month on Mexican waters.

IV. Power to authorize the President of the Republic to dispose the National Guard outside its respective states, and to determine the necessary forces.

V. In the event that all constitutional powers of one state disappear, the Senate shall have the power to appoint a provisional governor, who shall call elections according to the Constitution of the state in question. The President of the Republic shall propose three candidates to become provisional governor. The two-thirds of the Senate or the Permanent Committee shall approve one of the candidates. Provisional governor cannot be nominated as constitutional governor in the elections called by him. This provision shall govern whenever the constitutions of the states do not provide otherwise.

VI. Power to resolve the political disputes that arise between the powers of a state when one of the parties submits the case to the Senate, or in the event that such disputes have generated an armed conflict. In such a case, the Senate will pronounce a resolution based on the Federal Constitution and the constitution of the state in question.

Law shall regulate exercise of the two previous powers.

VII. Power to become jury in impeachments against civil servants, according to the Article 110 of this Constitution.

VIII. Power to appoint the ministers of the Supreme Court of Justice of the Nation among the candidates proposed by the President of the Republic. The Senate has the power to approve or reject leaves or resignations of ministers.

IX. Power to appoint and dismiss the Head of the Federal District Government, in the cases provided by this Constitution.

X. Power to authorize amicable covenants made by the states regarding their borders. Such covenants shall be authorized by the two-thirds of the members present in Senate.

XI. Power to pronounce definitive verdicts about the borders between the states through a decree, which shall be approved by the two-thirds of members present.

XII. Other exclusive powers conferred by this Constitution.

#### Article 77

Each of the Houses may, without the intervention of the other one:

I. Pronounce resolutions regarding its internal economic affairs.

II. Communicate with the other House and with the President of the Republic through internal committees.

III. Appoint the employees for its own secretary's office and issue regulations for it.

IV. In the event of a vacancy of a seat awarded according to the principle of majority voting, the House in question shall call to extraordinary elections within the 30 days after the vacancy appears. Elections shall be carried out within the 90 days after the call (see Article 63 of this Constitution). Except in the case the vacancy occurs in the last year of the term.

#### SECTION IV - Permanent Committee

#### Article 78

During recesses of the Congress of the Union, there shall be a Permanent Committee composed of 37 members -19 Representatives and 18 Senators-, appointed by their respective House the day before the closing of the ordinary period of sessions. A substitute shall be appointed for each member of the Permanent Committee.

Besides the powers conferred by this Constitution, the Permanent Committee shall have the following powers:

I. To consent the use of National Guard in the cases described in the Article 76, paragraph IV.

II. To receive the President of the Republic's oath, if applicable.

(Reformed by the decree published on August 17, 2011)

III. To resolve issues within its jurisdiction. To receive bills, comments to the bills made by the President of the Republic, and proposals, as well as to dispatch them to the appropriate commission to be resolved in the next ordinary period of sessions.

IV. To call one or both Houses to an extraordinary period of sessions, at the President of the Republic's proposal or by itself, requiring the vote of two-thirds of the members present. The notice shall indicate the objectives of the extraordinary period of sessions.

V. To ratify or reject the candidate nominated by the President of the Republic to be the Attorney General.

VI. To authorize the President of the Republic to be absent of duties up to 30 days and to appoint an interim president.

VII. To ratify appointments of the ministers, diplomatic agents, consuls general, top-ranking officials of the Department of the Treasury, colonels and other top-ranking officers of the Army, Navy and Air Force, proposed by the President of the Republic.

VIII. To receive and resolve requests of leaves submitted by legislators.

## SECTION V - The Federal Auditing Office

### Article 79

The Federal Auditing Office, which belongs to the House of Representatives, shall have autonomy regarding technical and managerial matters, as well as regarding its internal organization, functioning and decisions, according to the law.

(Added through a decree published on May 7, 2008)

Auditing function shall be exercised according to the principles of posteriority, annuity, legality, definitiveness, impartiality and reliability.

The Federal Auditing Office shall be responsible for:

(Reformed through a decree published on May 7, 2008)

I. Supervision of: a) revenue and expenditures; b) management, safekeeping and use of funds and resources belonging to the Powers of the Union and to the federal agencies. The Federal Auditing Office shall audit fulfillment of the objectives included in the several federal programs, using the reports submitted according to the law.

The Federal Auditing Office shall also supervise: a) the management or use of federal resources made by the states, local councils, the Federal District and their government agencies, except by federal contributions; b) the use of federal resources granted to any public or private entity or individual, those transferred to trusts, mandates, funds or any other legal instrument, in accordance with the procedures established by law and without damage to other authorities jurisdiction and to the users rights.

Entities that are subjected to fiscal supervision according to the previous paragraph, shall do the accounts, registering federal patrimony and budget transferred to them, in accordance with the criteria established by law.

Despite the principle of annuity, the Federal Auditing Office can request and review concrete information of a year previous to that of the public account being revised, only when a project or program covers more than one year or when fulfillment of objectives is under revision. However, comments and recommendations issued by the Federal Auditing Office shall only refer to the public account belonging to the year under revision.

Despite the principle of posteriority, the Federal Auditing Office can request the entities subjected to review to submit a report of the public account corresponding to current year about specific items that have been condemned. If the entity does not meet the deadline and formalities established by law, it shall be punished according to the law. The Federal Auditing Office shall submit a report about the case to the House of Representatives and, if applicable, it shall fix responsibilities or initiate responsibilities before the appropriate authority.

(Reformed through a decree published on May 7, 2008)

II. Submission of the report of public account review to the House of Representatives no later than February 20 of the year next to that when the public account was presented. The House shall study such report, which will be public. The report must include audits, opinions, inspection of specific items and assessment of the fulfillment of the objectives established in

the federal programs. The report shall also include the comments, explanations and justifications of the entity under revision.

For this purpose, before the submission of the report to the House of Representatives, the Federal Auditing Office shall notify the entities under revision about the results obtained from their public accounts, so that they could submit the pertinent justifications and explanations.

The Head of the Federal Auditing Office shall send to the entities under revision the recommendations and measures suggested no later than 10 business days after submission of the report to the House of Representatives. The entities under revision shall, within a 30 business days term, present the appropriate information and carry out the suitable measures. The law shall establish punishments for failures thereof. This provision shall not apply to the lists of comments and accusations, which shall observe the procedures and terms established by law.

The Federal Auditing Office shall, within a 120 business days term, answer the explanations and justifications submitted by the entities under revision. Failure to do so, means that explanations and justifications have been accepted.

Regarding fulfillment of the objectives, the entities under revision shall describe the improvements carried out or justify the inappropriateness of the measures suggested by the Federal Auditing Office.

On May 1 and November 1 of every year, the Federal Auditing Office shall submit to the House of Representatives a report about the progress of recommendations and measures suggested to the public entities.

The Federal Auditing Office shall keep secret on its acts and comments until the report has been submitted to the House of Representatives. The law shall establish appropriate punishments for offenders thereof.

III. Investigation of actions or omissions related to irregularities or illicit conducts about income, expenditures, management, safekeeping and use of funds and federal resources. The Federal Auditing Office can make home visits only to review the books, documents and files necessary for the investigation, in accordance to the law and formalities.

IV. Determination of damages and losses affecting the public finances or patrimony and fixation of responsibilities and pecuniary penalties; promotion of the liability actions mentioned in the Title Four of this Constitution; and reporting offences and crimes, participating as far as the law allows.

(Added through a decree published on May 7, 2008)

Penalties and resolutions issued by the Federal Auditing Office may be appealed by the affected entities or public servants before the same Federal Auditing Office or before the courts mentioned in the Article 73, paragraph XXIX-H, of this Constitution, according to the law.

The Head of the Federal Auditing Office shall be appointed by the two-thirds of the members present in the House of Representatives, in accordance with the procedure established for this purpose. The head of the Federal Auditing Office is appointed to serve for a period of eight years and may be appointed again once only. He may be removed, exclusively for serious misdemeanor described in the law, by the two-thirds of the members present in the House of Representatives. He may be also removed due to the causes established in the Title Four of this Constitution.

To qualify for the position of Head of the Federal Auditing Office, it is necessary to fill the requirements established in paragraphs I, II, IV, V and IV of the Article 95 of this Constitution, as well as the other requirements established by the law. While holding the office, the Head of the Federal Auditing Office cannot join any political party nor perform any other job, position or assignment, except for unpaid services in scientific, educational, cultural or beneficiary institutions.

(Reformed through a decree published on May 7, 2008)

The different Powers of the Union, the states and the government agencies subjected to revision shall assist the Federal Auditing Office in carrying out its work.

Refusal to do so shall be punished according to the law. This provision applies also to federal and local employees, as well as to any private or public entity, trust, mandate or fund that uses public federal resources. This provision does not damage the jurisdiction of other authorities nor the user's rights.

The president of the Republic shall apply an administrative proceeding to enforce payment of compensations and pecuniary penalties defined in the paragraph IV of this article.

### **CHAPTER III - The Federal Executive Branch**

#### **Article 80**

The power of the Executive Branch is vested in one single person, the President of the United Mexican States.



## Article 81

The President of the United Mexican States is directly elected by the people according to the electoral law.

## Article 82

Qualifications for the Presidency:

I. The candidate for the Presidency must be a natural born citizen, with legal capacity to exercise his rights, born of Mexican father or mother and must have live in the country for at least 20 years.

II. The candidate for the Presidency must be 35 years of age on the election date.

III. The candidate for the Presidency must have live in the country for a full year prior to the day of the election. Absences for up to 30 days do not interrupt residence.

IV. The candidate for the Presidency cannot be priest or minister of any religion.

V. The candidate should not be in active duty in the Army at least six months before the day of the election.

VI. The candidate should not be State Secretary or Under-Secretary, Attorney General, Governor or Head of the Federal District Government, unless he resigns his position six months before the election date.

VII. To be unaffected by the inabilities established under the Article 83.

## Article 83

The President of the Republic shall assume the duties of office on December 1, and shall remain in charge for a term of six years. A citizen who has served as President of the Republic, either elected, interim, provisional or substitute, in no case can again hold that office.

## Article 84

In the event of an absolute absence of the President of the Republic within the first two years of his term, the Congress shall become an electoral college and elect an interim president, provided that the two-thirds of the members are present. The election of the President shall be made by absolute majority of secret votes. Within the term of 10 days after

that the interim President has been elected, the Congress shall call to elections for the new President, who shall complete the respective term. Between the date of the call and the election must be at least 14 months and at most 18.

During the recess of the Congress, the Permanent Committee shall appoint a provisional President and shall call the Congress to an extraordinary period of sessions. The Congress then shall elect an interim President and shall call to elections for the Presidency.

In the event of absolute absence of the President of the Republic within the last four years of his term, the Congress shall appoint a substitute, who shall complete the respective term. During the recess of the Congress, the Permanent Committee shall appoint a provisional President and shall call the Congress to an extraordinary period of sessions. The Congress then shall become an electoral college and elect a substitute for the Presidency.

(First paragraph was reformed through a decree published on November 13, 2007)

#### Article 85

If at the beginning of a presidential term, the elected President does not appear, or the election had not yet been carried out, or the election has been declared invalid on December 1, the President whose term has concluded shall anyway cease to hold office. Then, the Congress shall appoint an interim President or, if the Congress is in recess, the Permanent Committee shall appoint a provisional President and call the Congress to an extraordinary period of sessions in order to elect a new President according to the previous article.

During a temporary absence of the President of the Republic, the Congress, or the Permanent Committee, shall appoint an interim President for the period corresponding to the temporary absence.

In the event that the President of the Republic's absence exceeds 30 days, and provided that the Congress is in recess, the Permanent Committee shall call the Congress to an extraordinary period of sessions to resolve about leave and, if applicable, to appoint an interim President.

If a temporary absence of the President becomes into an absolute absence, the Congress shall act as indicated in the previous article.

#### Article 86

The President of the Republic can resign his position only due to a serious cause, which shall be evaluated by the Congress, to whom the resignation shall be submitted.

## Article 87

The President, upon taking office, takes the following oath before the Congress, or before the Permanent Committee during the recess of the Congress: “I swear to observe and uphold the Political Constitution of the United Mexican States and the laws that emanate from it, and to loyally and patriotically perform the position of President of the Republic, which the people have conferred upon me, pursuing the welfare and prosperity of the country; and if I do not fulfill these obligations, may the Nation demand it of me.”

(Reformed through a decree published on August 29, 2008)

## Article 88

The President of the Republic can leave the national territory for up to seven days, previously notifying his reasons to the Senate or the Permanent Committee, as applicable, as well as the outcome of his activities. For absences larger than seven days, the President shall request a permit from the Senate or the Permanent Committee.

## Article 89

The President of the Republic’s powers and rights include the following:

- I. To enact and execute the laws issued by the Congress of the Union in the administrative field.
- II. To freely appoint and remove the Secretaries of State; to remove diplomatic agents and top-ranking officials of the Department of the Treasury; to freely appoint and remove all the other employees of the federal administration, whose appointment or dismissal is not otherwise provided by the Constitution or the laws.
- III. To appoint the ministers, diplomatic agents and consuls general, with the approval of the Senate.
- IV. To appoint colonels and other top-ranking officers of the Army, Navy and Air Force, as well as top-ranking officials of the Department of the Treasury, with the approval of the Senate.
- V. To appoint, according to the law, the rest of the officers of the Army, Navy and Air Force.
- VI. To protect national security, in accordance to the applicable law, for this purpose, The President of the Republic can make use of the permanent armed forces: the Army, the Navy and the Air Force.

VII. To make use of the National Guard to assure domestic security and to protect the nation from other nations, observing the provisions established in the Article 76, section IV.

VIII. To declare war in the name of the United Mexican States, having the previous authorization of the Congress.

IX. To appoint the Attorney General with the approval of the Congress.

(Reformed by the decree published on June 10, 2011)

X. To lead the foreign policy; to make and execute international treaties; as well as to end, condemn, suspend, modify, amend, withdraw reservations and make interpretative declarations relating such treaties and conventions, requiring the authorization of the Senate. For these purposes, the President of the Republic shall observe the following principles: the right to self-determination; non-intervention; peaceful solution of controversies; outlawing the use of force or threat in international relations; equal rights of States; international cooperation for development; the respect, protection and promotion of human rights; and the struggle for international peace and security.

XI. To call the Congress to an extraordinary period of sessions at Permanent Committee's request.

XII. To provide the Judicial Branch with all the assistance necessary for the free performance of its duties.

XIII. To equip all kind of ports; to set up maritime and border customs, indicating the place to install them.

XIV. To grant, according to the law, a pardon to the convicts sentenced because of federal crimes or common crimes committed in the Federal District.

XV. To grant exclusive privileges, for a limited period of time, to discoverers, inventors or improvers in any branch of industry, according to the applicable law.

XVI. During the recess of the Congress, the President of the Republic can make the appointments mentioned in the paragraphs III, IV and IX, having the approval of the Permanent Committee.

XVII. Repealed.

XVIII. To submit to the Senate a list of candidates to become ministers of the Supreme Court of Justice; and to require authorization for their leaves and resignations.

XIX. Repealed.

XX. Other powers expressly conferred by this Constitution.

#### Article 90

Federal Public Administration shall be centralized and semipublic, according to the organic law issued by the Congress, which shall distribute the federal administrative affairs among the several Secretariats and shall define the general bases to create semipublic entities and the President of the Republic's intervention there.

The laws shall regulate relationships between semipublic entities and the President of the Republic and the Secretariats.

#### Article 91

In order to become a member of the Cabinet, it is required to be a Mexican citizen by birth, with legal capacity to exercise his rights, and to be 30 years old.

#### Article 92

All regulations, decrees, covenants and orders issued by the President of the Republic shall be signed by the Secretary in question, otherwise they won't be compulsory.

#### Article 93

Members of the Cabinet, as soon as the ordinary period of sessions is open, shall answer to the Congress for the state of their respective affairs.

(Reformed through a decree published on August 15, 2008)

Any of the Houses can call the Secretaries, the Attorney General, the directors and managers of semipublic entities and the heads of autonomous agencies in order to provide information, under oath, whenever the Congress is studying or discussing a law or affair related to them.

The House of Representatives, by request of a quarter of its members, and the Senate, by request of a half of its members, have the power to create committees to investigate functioning of decentralized and semipublic entities. Results of investigations shall be submitted to the President of the Republic.

(Added through a decree published on August 15, 2008)

Any of the Houses can require, in writing, the heads of the federal agencies to provide information or documents, who shall answer within the 15 days after request was received.

(Added through a decree published on August 15, 2008)

These attributions shall be exercised according to the Law and regulations of the Congress.

## **CHAPTER IV - The Judicial Branch**

### Article 94

The judicial power of the United Mexican States is vested in a Supreme Court of Justice, an Electoral Court, specialized circuit courts, unitary circuit courts and the district courts.

The Federal Judicial Council shall deal with matters of administration, supervision and discipline for Mexican federal judges, except by the Supreme Court of Justice of the Nation, according to the provisions established by law.

The Supreme Court of Justice of the Nation shall consist of 11 ministers and shall work at plenary meetings or at courtrooms.

Sessions in plenary meeting or in courtrooms shall be public, in accordance with the law. Sessions may be secret whenever public interest or public morality should so require it.

The laws shall regulate, based on this Constitution, powers and functioning of the Supreme Court of Justice, the circuit courts, the district courts and the Electoral Court. The law shall establish liabilities for the Judicial Power's employees.

The Federal Judicial Council shall define the number of districts and territory belonging to each specialized circuit court, unitary circuit court and district court, as well as the attributions and, if necessary, specialization thereof.

(Added by the decree published on June 6, 2011)

The Supreme Court of Justice shall have the power to issue general covenants in order to create circuit courts, according to the number and specialization of the courts that belong to each circuit. The laws shall regulate integration and operation of these circuit courts.

(Reformed by the decree published on June 6, 2011)

The Supreme Court of Justice in plenary meeting shall have the power to issue general covenants in order to achieve an adequate distribution of issues among the courts and to

submit to the specialized circuit courts those cases where they shall have established precedents and those affairs selected by the Supreme Court in order to deal with the cases promptly. Said covenants shall come into force after being published.

(Added by the decree published on June 6, 2011)

Constitutional adjudications, constitutional controversies and unconstitutionality claims shall have priority when one of the chambers of the Congress, through its President or the President of the Republic, justifies the urgency on the basis of social interest or the law and order, in accordance with the regulatory laws. This priority shall be requested by the Government Legal Advisor.

(Reformed by the decree published on June 6, 2011)

The law shall define the cases where precedents established by the federal and circuit courts shall be compulsory, relating to interpretation of the Constitution and general laws, as well as the requirements for interruption and modification thereof.

Remuneration granted to the ministers of the Supreme Court, the associated judges, the district judges, the councilors of the Federal Judiciary and the electoral judges, cannot be reduced during their term.

Ministers of the Supreme Court shall be appointed for a 15 years term, they may be removed only in the cases provided in the Title Fourth of this Constitution. Ministers shall be entitled to a retirement payment at the end of their term.

Ministers cannot serve a second term, unless they have held the office as provisional or interim ministers.

#### Article 95

To be appointed as minister of the Supreme Court of Justice of the Nation, it is required:

I. To be a Mexican citizen by birth, with legal capacity to exercise his political and civil rights.

II. To be at least 35 years old.

III. To have a law degree, at least 10 years ago, issued by an institution legally empowered for that purpose.

IV. To have a good reputation and not have been convicted for a crime punishable by imprisonment for more than one year. However, should the crime have been robbery, fraud, forgery, breach of confidence or any other which would seriously damage good reputation, he shall be disqualified for office, whatever penalty may have been.

V. To have lived in the country the last two years before appointment.

VI. Not have been Secretary, Attorney General, Minister of Justice of the Federal District, senator, representative, governor or Head of the Federal District Government the whole year before the appointment.

Preferably, ministers shall be persons who have served with efficiency, ability and integrity in the dispensation of justice, or who have distinguished themselves by their honor, ability and career in the legal field.

#### Article 96

For appointment of a minister of the Supreme Court of Justice, the President of the Republic shall submit a list of three candidates to the Senate, who should listen them and then choose one by the two-third vote within a 30 days period of time. This period may not be extended. Should the Senate not decide within such term, then the President of the Republic shall appoint one person from the list he has proposed.

If the Senate rejects all the three candidates in the list, the President of the Republic shall submit a new one, then the provisions established in the previous paragraph shall be observed. If the Senate rejects this second list completely, the President of the Republic shall appoint one person from such list.

#### Article 97

District and circuit judges shall be appointed by the Federal Judicial Council, based on objective criteria and observing the requirements and procedures established by law. District and circuit judges shall be appointed for a six years term. At the end of such term, they may be ratified or promoted, in such case, they may be dismissed only in the cases described by the law and following the established procedure.

(Reformed by the decree published on June 10, 2011)

The Supreme Court of justice of the Nation can request the Federal Judicial Council to investigate the behavior of a federal judge or magistrate.

(Paragraph repealed through a decree published on November 13, 2007)



Paragraph has been repealed.

The Supreme Court of Justice shall have the power to appoint and remove its secretary, officials and employees. Magistrates and judges shall have the power to appoint and remove the officials and employees for the circuit courts and district courts, observing the regulation about the judicial career.

Every four years, the Supreme Court of Justice, in plenary meeting, shall appoint a president for the Supreme Court from among its members. The President of the Supreme Court cannot be reelected for the next immediate term.

Each minister of the Supreme Court of Justice, upon taking office, takes the following oath before the Senate:

President of the Senate: “Do you swear loyally and patriotically perform the position of Minister of the Supreme Court of Justice of the Nation, which has been conferred upon you and to observe and uphold the Political Constitution of the United Mexican States and the laws that emanate from it, pursuing the welfare and prosperity of the country?”

Minister: “Yes, I do.”

President of the Senate: “if you do not fulfill these obligations, may the Nation demand it of you.”

Circuit magistrates and district judges shall take the oath before the Supreme Court of Justice and the Federal Judicial Council.

## Article 98

Whenever the absence of a minister exceeds one month, the President of the Republic shall submit a list of three candidates to the Senate in order to elect one interim minister according to that established in the Article 96 of this Constitution.

Should a minister be absent by cause of death or any other definitive cause, the President of the Republic shall submit a list of three candidates to the Senate in order to elect one according to that established in the Article 96 of this Constitution.

Resignation of a minister shall be accepted only due to serious offence. Resignation shall be submitted to the President of the Republic, who, if accepts it, shall in turn submit resignation to the Senate.

The leaves for the ministers that do not exceed one month can be granted by the Supreme Court of Justice. Those leaves exceeding such term, shall be granted by the President of the Republic with the Senate's approval. No leave may exceed a term of two years.

(Reformed through a decree published on November 13, 2007)

#### Article 99

The Electoral Court shall be the highest authority in this area and the specialized body of the Federal Judicial Branch, except by that established in the Article 105, paragraph II, of this Constitution.

The Electoral Court shall work on a permanent basis, it shall have a Superior Electoral Court and regional electoral courts. Resolving sessions of the Electoral Court shall be public in accordance with the law. The Electoral Court shall have enough legal and administrative personnel for an appropriate performance.

The Superior Electoral Court shall be integrated by seven electoral magistrates, who shall appoint a president of the Electoral Court among them to hold the office for a period of four years.

The Electoral Court shall resolve the issues listed below, in a definitive and irrefutable manner, observing the provisions established by this Constitution and the applicable law:

I. Appeals of elections regarding representatives and senators.

II. Contestation of election of the President of the Republic. Only the Superior Electoral Court can resolve such kind of contestations.

The Superior electoral Court and the regional electoral courts can annul an election only due to the causes expressly indicated in the law.

The Superior Electoral Court shall carry out the final count of votes in the election of the President of the Republic, provided that contestations thereof have been resolved. Then, the Electoral Court shall declare the validity of the election and shall name the elected President, i.e., the candidate who has obtained the highest number of votes.

III. Contestations of acts and resolutions issued by the federal electoral authority, different to those mentioned in the two previous paragraphs.

IV. Contestations of final acts and resolutions issued by the state electoral authorities related to organization and assessment of elections; as well as controversies arisen during the

election process that could affect such election process or the results thereof. This procedure shall be admissible only when the remedy requested is physically and legally possible within the electoral terms, and provided that it is feasible to be implemented before the date legally established for set up of the electoral bodies or for inauguration of elected officials. V. Contestations regarding acts and resolutions that infringe political-electoral rights of citizens: right to vote, right to be elected, right to freely join a party, right to peaceful assembly, according to this Constitution and laws.

Contestations, filed by citizens against the political party they are affiliated, will be valid only if the plaintiff has exhausted all the instances provided by the party for solution of internal conflicts. The law shall establish regulations and terms for this kind of contestations.

VI. Labor conflicts between the Electoral Court and its employees.

VII. Labor conflicts between the Federal Electoral Institute and its employees.

VIII. Definition and imposition of sanctions by the Federal Electoral Institute on political parties, political associations, or private or legal entities, either national or foreign, who have infringe dispositions provided by this Constitution and the laws.

IX. Other issues specified by the law.

The courtrooms of the Electoral Court shall make use of the necessary coercive means in order to enforce their sentences and resolutions, in accordance with the terms established by law.

Without prejudice to the Article 105 of this Constitution, the courtrooms of the Electoral Court can determine not to apply electoral laws which are contrary to this Constitution. Such kind of resolutions shall be limited to the concrete case in question. In such event, the Superior Electoral Court shall notify the Supreme Court of Justice of the Nation.

When a courtroom of the Electoral Court defends an argument on the unconstitutionality of an act or resolution, or on the interpretation of a constitutional provision, and such argument may be contradictory to the one sustained by the Supreme Court of Justice, then any of the ministers, courtrooms or parties can denounce the contradiction, according to the terms established by the law. The Supreme Court of Justice of the Nation, in plenary meeting, shall decide definitely which argument shall prevail. Such kind of resolutions shall not affect the cases already decided.

This Constitution and the laws shall regulate the organization of the Electoral Court, the jurisdiction of the courtrooms, the procedures to decide the affairs, as well as the mechanisms to set mandatory legal precedents in this matter.

The Superior Electoral Court can bring cases from regional electoral courts at their request. Likewise, the Superior Electoral Court can submit cases to the regional electoral courts for resolution. The law shall establish regulations and procedures to exercise such kind of power.

In accordance with the terms provided by the law, the administration, supervision and discipline of the Electoral Court shall pertain to a committee of the Federal Judicial Council, which shall be composed of: a) the president of the Electoral Court, who shall chair; b) a magistrate from the Superior Electoral Court, elected by secret vote; and c) three members of the Federal Judicial Council. The Electoral Court shall submit its proposal about its own budget to the president of the Supreme Court of Justice in order to be included in the budget of the federal judicial branch. The Electoral Court shall issue its own internal regulations and decrees it should require to operate adequately.

Magistrates composing the High Court and the regional courts of the Electoral Court shall be proposed by the Supreme Court of Justice and elected by the vote of the two-thirds of the senators present. Election of the magistrates shall be staggered, observing the rules and procedures established by law.

Magistrates composing the High Court of the Electoral Court shall meet the requirements stated by the law, which may not be less than those required to be a minister of the Supreme Court of Justice of the Nation. Magistrates shall hold the office for a term of nine years. This term cannot be extended. The magistrates of the High Court of the Electoral Court shall submit their resignations, leaves and permits to the High Court of the Electoral Court, which shall process and grant them, as applicable according to the Article 98 of this Constitution.

Magistrates composing the regional courts of the Electoral shall meet the requirements stated by the law, which may not be less than those required to be a circuit magistrate. Regional magistrates shall hold the office for a term of nine years. This term cannot be extended, unless they got a promotion.

In case of a definitive vacancy, a new magistrate shall be appointed, who shall finish the term.

Labor relations between the Electoral Court and its employees shall be regulated by the rules applicable to the federal judicial branch and by the special laws and exceptions applicable to them.

Article 100

The Federal Judicial Council shall be a body belonging to the federal judicial branch and shall have technical and operational independence, it shall also be independent to issue its resolutions.

The Federal Judicial Council shall be composed of seven members: the president of the Supreme Court of Justice, who shall also be the chairman of the Council; three councilors appointed by the Supreme Court in plenary meeting, by at least eight votes; the candidates proposed by the Supreme Court shall be circuit magistrates or district judges; two councilors appointed by the Senate and one councilor appointed by the President of the Republic.

All councilor shall meet the requirements established in the Article 95 of this Constitution and shall be individuals who have distinguished themselves through professional and administrative capacity, honesty and honor in the conduct of their activities. In the case of the councilor appointed by the Supreme Court, they must also have a good professional reputation within the field of the judiciary.

The Federal Judicial Council shall work at plenary meeting or at committees. The plenary meeting of the Council shall decide on appointment, assignment, ratification and dismissal of magistrates and judges, as well as on other affairs defined by the law.

Except by the chairman of the Council, the councilor shall hold the office for a period of five years, they shall be replaced in a staggered manner. Councilors cannot be appointed for a second period.

The councilors do not represent the institutions appointing them, therefore, they shall perform their duties in an independent and impartial manner. They may be dismissed only in accordance with the provisions established in the Title Four of this Constitution.

The law shall create the basis to provide training and updating to the public officials, as well as to develop judicial career, which shall be governed by the principles of excellence, objectivity, impartiality, professionalism and independence.

The Federal Judicial Council shall have the power to make and execute general covenants in order to achieve an adequate performance of its duties. The Supreme Court of Justice can request the Council to make and execute those general covenants that are necessary to achieve an adequate performance of the federal duties. The Supreme Court of justice can also review such covenants and, if necessary, revoke them by a majority of at least eight votes. The law shall regulate the exercise of these powers.

Federal Judicial Council's decisions are final and irrefutable, therefore, no trial or legal instrument is accepted against such decisions, except by decisions related to appointment,

assignment, ratification and dismissal of magistrates and judges. Such kind of decisions can be reviewed by the Supreme Court of Justice only with the purpose to verify they have been taken according to the rules established in the applicable organic law.

The Supreme Court of Justice shall propose its own budget, and the Federal Judicial Council shall propose the budget for the rest of the federal judicial branch, but complying with the provisions established in the Article 99, paragraph seventh, of this Constitution. These budgets shall be submitted by the President of the Supreme Court of Justice in order to include them into the Nation's federal budget. The President of the Supreme Court of Justice shall manage the Supreme Court's internal affairs.

#### Article 101

The ministers of the Supreme Court of Justice, the circuit magistrates, the district judges, their respective clerks, the councilors of the Federal Judicial Council and the magistrates of the High Court of the Electoral Court cannot accept or perform any other job or assignment, either in a private company or in the federal or state government, or in the Federal District Government, except for those performed for free in scientific, educational, literary or charitable associations.

The ministers of the Supreme Court of Justice, the circuit magistrates, the district judges, the councilors of the Federal Judicial Council and the magistrates of the High Court of the Electoral Court, within the two years after finishing their respective term, shall not be allowed to work as attorneys, lawyers or legal representatives in any case before the agencies belonging to the federal judicial power.

During the same term, the former ministers cannot be appointed for such positions mentioned in the Article 95, paragraph VI of this Constitution, unless they have been provisional or interim ministers.

Impediments established in this article will apply also to the judicial officials who have leaves.

In the event of infringement of the provisions stated in the previous paragraphs, the offenders shall be punished with dismissal and loss of benefits, even benefits that could correspond to such position in the future, in addition to the other penalties established by law.

#### Article 102

A.- The law shall organize the Public Prosecution Service, which official shall be appointed and removed by the President of the Republic in accordance to the applicable law. The

Federal Public Prosecution Service shall be presided by the Attorney General, who shall be appointed by the President of the Republic and ratified by the Senate, or by the Permanent Committee during the Senate's recess. To become Attorney General it is required: to be a Mexican citizen by birth; to be at least 35 years old; to be a law graduate for a minimum of 10 years; to have a good reputation; and not to have been convicted due to an intentional crime. The President of the Republic has the power to freely dismiss the Attorney General.

The Public Prosecution Service shall have the power to prosecute in court all the federal crimes and to request the arrest warrant against the accused. The Public Prosecution Service has the duty to procure and submit evidence to prove the defendant's liability, to make sure that trials are carried out with regularity so that justice may be provided in a prompt and clear manner, to request the imposition of penalties and to intervene in all matters determined by law.

The Attorney General shall personally intervene in all the controversies and actions mentioned in the Article 105 of this Constitution.

The Attorney General shall participate, either by himself or through his agents, in all trials in which the Nation is a party, also in the legal affairs involving diplomats and consuls general, and in other cases under the jurisdiction of the Public Prosecution Service.

The Attorney General and the public prosecutors shall be liable for any faults, omissions or infringements they commit because of their duties.

The duty of legal counsel for Government shall be in charge of an agency under the President of the Republic.

B.- The Congress of the Union and the state legislatures shall provide, under their respective jurisdictions, agencies directed to protect the human rights which are recognized by the Mexican legal system. Such agencies shall receive all the complaints against administrative actions or omissions committed against human rights by any public employee, except for the officials working for the federal judicial branch.

(Reformed by the decree published on June 10, 2011)

These agencies shall issue public recommendations, which shall not be compulsory. They also shall file accusations and complaints with the appropriate authorities. All public servants are obliged to answer the recommendations issued by these agencies. When the authorities or public servants responsible do not accept or enforce these recommendations, they must substantiate such refusal and make it publish. In addition, the Senate, the Permanent Committee or the state congresses, as appropriate, may call, at the request of these agencies,

the authorities or public servants responsible to appear and explain the reasons of such refusal.

(Reformed by the decree published on June 10, 2011)

These agencies shall not have jurisdiction over electoral and jurisdictional matters.

Such kind of agency, created by the Congress of the Union, shall be called National Human Rights Commission. It shall have managerial autonomy, legal status and its own wealth and budget.

(Added by the decree published on June 10, 2011)

The state constitutions and the Federal District Government Code shall establish and guarantee the autonomy of the agencies that protect the human rights.

The National Human Rights Commission shall have a Board of Advisors, which will be composed of ten councilors, who shall be elected by two-thirds of the members present at the Senate, or at the Permanent Committee during the congress recess. The law shall establish the procedure to be followed by the Senate to nominate the candidates. Every year, the most senior councilors shall be replaced, unless they are proposed and ratified for a second term.

The President of the National Human Rights Commission shall be elected following the procedure established in the previous paragraph, he/she shall be also the chairman of the Board of Advisors. He/she shall hold office for a five years term and may be reelected once only. He/she may be dismissed only in the cases established in the Title Fourth of this Constitution.

(Added by the decree published on June 10, 2011)

The election of the President of the National Human Rights Commission, as well as the members of the Board of Advisors and the heads of the state human rights commissions, shall be subject to a referendum, which shall meet the requirements established by law.

The President of the National Human Rights Commission shall submit an annual report to the three branches of the Union. For this purpose, he/she shall appear before both Houses under the terms established by law.

The National Human Rights Commission shall hear complaints against the resolutions, covenants and omissions made by the state human rights commissions.



(Added by the decree published on June 10, 2011)

The National Human Rights Commission can investigate serious violations of human rights, at the request of the President of the Republic, the Senate, the House of Representatives, a governor, the Head of the Federal District Government, or a state congress.

(Reformed by the decree published on June 6, 2011)

#### Article 103

The federal courts shall resolve all disputes concerning:

- I. Laws or acts issued by the authority, or omissions committed by the authority, which infringe the fundamental rights recognized and protected by this Constitution and the international treaties signed by Mexico.
- II. Laws or acts issued by the federal government and which break or restrict the sovereignty of the Mexican states or the Federal District.
- III. Laws and acts issued by the state authorities or the Federal District Government, which invade the federal authority's jurisdiction.

#### Article 104

The federal courts shall have jurisdiction over:

- I. Proceedings relating to federal crimes.
- II. Any civil or mercantile controversy arisen about the observance and enforcement of federal laws or international treaties signed by Mexico. The plaintiff can file such kind of controversy with an ordinary court when the controversy affects only private interests. Sentences pronounced by a trial court may be challenged with the appropriate appellate court.
- III. Review resources filed against final rulings pronounced by the contentious-administrative courts mentioned in the article 73, paragraph XXIX-H and in the Article 122, section IV, subdivision (e), of this Constitution, but only in the cases indicated by the law. Review resources that are to be heard by the specialized circuit courts shall be subject to the formalities established by the statutory law of the articles 103 and 107 of this Constitution. No trial or legal instrument shall be admissible against the rulings pronounced by the specialized circuit courts on such review resources.

IV. Any controversy relating to maritime law.

V. Any controversy where the Federal Government is an interested party.

VI. Any controversy or action mentioned in the Article 105, which can be resolved exclusively by the Supreme Court of Justice.

VII. All disputes between a Mexican state and one or more inhabitants of another state.

VIII. All controversies regarding diplomats and consuls.

#### Article 105

The Supreme Court of Justice of the Nation shall resolve the cases related to the following topics, in accordance with the provisions established by the applicable statutory law:

I. Except for the electoral topics and disputes related to the Article 46 of this Constitution, the Supreme Court shall resolve the controversies between:

a) The Federal Government and one state or the Federal District.

b) The Federal Government and one local authority.

c) The President of the Republic and the Congress of the Union; the President of the Republic and any of the Houses; or the President of the Republic and the Permanent Committee, acting as federal bodies or as Federal District's bodies.

d) Two states.

e) A state and the Federal District.

f) The Federal District and a local council.

g) Two local councils belonging to different states.

h) Two powers belonging to the same state about the constitutionality of their acts or regulations.

i) A state and one of its local councils, about the constitutionality of their acts or regulations.

j) A state and a local council belonging to another state, about the constitutionality of their acts or regulations.

k) Two agencies belonging to the Federal District Government, about the constitutionality of their acts or regulations.

The rulings taken by the Supreme Court of Justice, by a majority of eight vote, invalidating general provisions, shall have general compulsory effect; provided that the respective controversy is generated by the general provisions issued by a state or local council, and which are challenged by the Federal Government; or by the general provisions issued by a local council and which has been challenged by the state; or in the cases indicated in paragraphs “c”, “h” and “k”.

In all other cases, the rulings pronounced by the Supreme Court of Justice shall have effect only on the particular case in question.

II. Unconstitutionality lawsuits directed to raise a contradiction between a general regulation and this constitution.

Unconstitutionality lawsuits shall be initiated within the 30 days after publication of the regulation, they shall be initiated by:

a) the 33% of the members of the House of Representatives against federal laws or laws enacted by the Congress and applicable to Federal District.

b) the 33% of the members of the Senate against federal laws or laws enacted by the Congress and applicable to Federal District, or against international treaties signed by the Mexican State.

c) the Attorney General, against federal and state laws, or laws applicable to the Federal District, or against international treaties signed by the Mexican State.

d) the 33% of the members of a state legislature, against laws enacted by such state legislature.

e) the 33% of the members of the Federal District’s Assembly of Representatives, against laws enacted by the Assembly.

f) the political parties duly registered before the Federal Electoral Institute, through their national leaders and against federal or local electoral laws; also, the state parties, through their leaders, only against laws enacted by the state legislature that granted them registration.

(Reformed by the decree published on June 10, 2011)

g) the National Human Rights Commission, against federal or state laws, against laws enacted by the Federal District Government, against international treaties signed by the President of the Republic and approved by the Senate, which break human rights established in this Constitution. Also, unconstitutionality lawsuits can be initiated by: a) the state human rights agencies, against laws issued by the state legislature; and b) the Human Rights Commission of the Federal District against laws issued by the Federal District's Assembly of Representatives.

The only legal instrument to appeal the unconstitutionality of an electoral law is the one provided in this article.

Federal and local electoral laws shall be enacted and published at least 90 days before the electoral process begins. During an electoral process, essential amendments cannot be carried out.

The rulings of the Supreme Court of Justice can invalidate the regulations that have been challenged only if such rulings have been approved by a majority of eight votes.

III. By its own motion, or by motion justified and submitted by the corresponding unitary circuit court or by the Attorney General, the Supreme Court of Justice can hear appeals against sentences pronounced by district judges, provided that the Federal Government is an interested party in the case and such case is transcendental.

Invalidations mentioned in the sections I and II of this article shall not have retroactive effect, except by criminal matter, where criminal general principles and legal provisions shall govern.

In case of failure to comply with the rulings mentioned in the sections I and II of this article, the procedures established in the Article 107, first two paragraphs of the section XVI, of this Constitution shall be applied.

#### Article 106

The Judicial Branch shall resolve the controversies that could arise between two federal courts related to their jurisdictions, or between a federal court and a state court, or between a federal court and a Federal District's court, or between two courts belonging to different states, or between a state court and a Federal District's Court.

(First paragraph was reformed by the decree published on June 6, 2011)

#### Article 107

All controversies mentioned in the article 103 of this Constitution, except for electoral controversies, shall follow the legal procedures and formalities established by the statutory law, according to the following principles:

(Reformed by the decree published on June 6, 2011)

I. The constitutional adjudication (appeal on the grounds of unconstitutionality) shall be carried out at the request of the offended party. The offended party is the holder of an individual or collective right, which has been violated by the challenged act, affecting his/her legal framework, either directly or by the means of his/her special situation before the legal system.

Regarding acts or rulings pronounced by administrative or labor courts, the plaintiff must argue that he/she holds a subjective right that has been directly and personally affected.

(Reformed by the decree published on June 6, 2011)

II. The sentence pronounced in a constitutional adjudication shall cover only to the plaintiffs, protecting them only in the specific case concerned in the complaint.

If a court rules unconstitutionality of a general provision for a second consecutive time in constitutional adjudications, the Supreme Court of Justice of the Nation must notify the authority which enacted such provision.

When the bodies belonging to the Federal Judicial Branch establish legal precedents by repetition, ordering unconstitutionality of a general provision, the Supreme Court of Justice of the Nation shall notify the authority which enacted such provision. If after 90 days the unconstitutionality is not overcome, the Supreme Court of Justice of the Nation shall issue a declaration of unconstitutionality, indicating its scope and conditions, according to the statutory law. Such declaration must be approved by a majority of 8 votes.

The previous two paragraphs do not apply to general provisions which regulate taxes.

In a constitutional adjudication, any deficiency regarding the terms “violation” and “grievances” should be corrected by the court, according to that established in the statutory law.

Whenever the acts claimed in the constitutional adjudication deprive or may deprive the farming cooperatives or communities or their members of their lands, waters, pasture and mountains, all evidence that could benefit any of the aforesaid entities or individuals must be obtained at the court’s own motion, and any proceedings that could be necessary to prove

their rights must be ordered. Also, the nature and consequences of the claimed acts shall be defined.

In the constitutional adjudication mentioned in the preceding paragraph, dismissal of the suit because of procedural inactivity or by discontinuance shall not be admissible to the detriment of farming cooperatives or indigenous communities, or to the detriment of a native or joint-title farmer. However, this kind of proceedings shall be admissible to their benefit. Waiving or express consent shall not be accepted when the claimed acts affect the community's rights, unless waiving or express consent are agreed by the General Assembly of the farming cooperative.

III. The constitutional adjudication against rulings pronounced by judicial, administrative or labor courts shall be admissible only in the following cases:

(Reformed by the decree published on June 6, 2011)

a) Against final rulings, binding judgments or resolutions that end the trial, no matter if infringement is committed by such rulings, binding judgments or resolutions, or during the proceeding affecting the plaintiff's defense and the verdict. Regarding the constitutional adjudication mentioned in this subdivision and in the section V of this article, the specialized circuit court shall decide on all infringements to the proceedings and the corrections to the brief, establishing the terms for the new ruling. If such violations were not reported in the first constitutional adjudication, and the specialized court did not decide on the subject, then they cannot be invoked in a second constitutional adjudication.

The party who has obtained a favorable ruling, as well the party who has legal interest that the act in question persists, can file a constitutional adjudication in addition to the one filed by any of the parties involved in the trial that generated the challenged act. The law shall determine the procedure and requirements to file such trial.

For the constitutional adjudication admissibility, first the plaintiff must exhaust the ordinary instruments provided by the applicable law, which may be suitable to modify or revoke the final sentence, binding judgment or ruling, except for the cases when the law allows plaintiff to waive such resources.

Violations to the procedural law should be invoked when challenging the final rulings, binding judgments or resolutions that end the trial, provided that the plaintiff has challenged them through the ordinary instruments. However, this requirement does not apply to the constitutional adjudication filed against acts which affect the rights of minors or disabled persons, or affect the marital status or the family's order and stability, or the criminal acts filed by the defendant.

b) Against acts during a trial which enforcement would render them impossible to retribute, provided that all applicable appeals have been exhausted.

c) Against acts affecting persons who are not involved in the trial.

(Reformed by the decree published on June 6, 2011)

IV. Regarding the administrative matter, the constitutional adjudication is accepted also against rulings pronounced by other authorities, different to the judicial, administrative and labor courts, which caused irreparable offence. It is necessary to exhaust these means of impugment, provided that the effects of such acts have been suspended by the court or by the plaintiff through the appropriate legal instrument. In this case, the constitutional adjudication shall have the same scope than the one indicated by the statutory law, and the requirements will be the same as required to grant the final suspension. Also, the term shall not be greater than the one established for provisional suspension, regardless of whether the act may be suspended or not, according to the law.

It is not necessary to exhaust such means of impugment when the challenged act has no grounds, or when only direct violations to this Constitution are argued.

(Reformed by the decree published on June 6, 2011)

V. The constitutional adjudication against final sentences, binding judgments or rulings that end the trial, shall be filed with the competent specialized circuit court, according to the law, in the following cases:

a) Relating to criminal matter, against final rulings pronounced by federal, ordinary or military courts.

b) Relating to administrative matter, when private persons challenge final sentences or rulings pronounced by administrative or judicial courts, provided that such sentences or rulings are not repairable through a legal instrument, trial or any other ordinary means.

c) Relating to civil matter, against final sentences pronounced in federal trials, or in federal or local mercantile trials, or in trials for common crimes.

In federal civil cases, sentences may be challenged through the constitutional adjudication by any of the interested parties, even the Federal Government, in defense of its pecuniary interests.

d) Relating to labor issues, when the constitutional adjudication challenges binding judgments pronounced by a federal or local Commission for Conciliation and Arbitration, or by the Federal Court of Conciliation and Arbitration for public employees.

The Supreme Court of Justice may hear direct constitutional adjudications that are important or transcendental, by its own motion or by motion justified and submitted by a specialized circuit court or by the Attorney General.

(Reformed by the decree published on June 6, 2011)

VI. The Statutory Law shall indicate the procedure and conditions to be met by the specialized circuit courts and the Supreme Court in order to pronounce a ruling relating to section V of this Article.

(Reformed by the decree published on June 6, 2011)

VII. The constitutional adjudication against acts or omissions committed during a trial, in the trial context or after that the trial, or against acts that affect persons who are not involved in the trial, or against general laws or administrative authority's acts or omissions, shall be lodged before the district judge having jurisdiction over the place where the harmful actions have been committed or have been tried to be committed. The procedure for such constitutional adjudication is as follows: 1) authority's report, 2) a hearing, 3) receipt of evidence provided by the interested parties, and 4) argument hearing. The sentence shall be pronounced in the hearing.

VIII. The sentences pronounced as a result of a constitutional adjudication by a district judge or a unitary circuit court may be reviewed. Such review shall be lodged before the Supreme Court of Justice:

(Reformed by the decree published on June 6, 2011)

a) In the event that the unconstitutionality still remains after the constitutional adjudication filed against general provisions.

b) In the cases mentioned in the Article 103, sections II and III, of this Constitution.

The Supreme Court of Justice may hear the constitutional adjudications that are important or transcendental, by its own motion or by motion justified and submitted by a specialized circuit court or by the Attorney General.

In all other cases, reviews shall be lodged before a specialized circuit court, which sentence shall be final and shall not admit any further review.



(Reformed by the decree published on June 6, 2011)

IX. Regarding the direct constitutional adjudication, the review resource is appropriate to challenge the sentences concerning the unconstitutionality of general provisions, or make a direct interpretation of a constitutional provision, or failed to rule on these issues, provided that the Supreme Court of Justice considers that such rulings create an important and transcendent criterion. In the constitutional adjudication, only the constitutional issues shall be analyzed.

(Reformed by the decree published on June 6, 2011)

X. Claimed acts may be suspended in the cases and under the terms established by law. For this purpose, the judge shall take into account the correct law and the public interest.

Regarding criminal matter, such suspension shall be applied while notifying the constitutional adjudication lodged. Regarding civil, mercantile and administrative matters, such suspension shall be applied when the plaintiff pays a bail, which shall be used to pay for the damages caused by the suspension to a third party. Such suspension shall be void if the other party pays an indemnity bond in order to assure reinstatement of the situation as if the constitutional adjudication has been granted.

(Reformed by the decree published on June 6, 2011)

XI. The direct constitutional adjudication shall be lodged before the authority responsible, which shall rule on the suspension. In other cases, suspension shall be filed with the district court or the unitary circuit court, which shall rule on suspension, or with the state courts where allowed by law.

XII. Appeals against violations to the constitutional rights provided under articles 16, related to criminal matter, 19 and 20, shall be filed with the superior court standing directly above the court that committed the infringement, or with the appropriate district judge or unitary circuit court. The rulings pronounced hereby may be reviewed according to the provisions established in the paragraph VIII of this article.

In the event that the district judge or unitary circuit court does not reside in the same place than the authority responsible, then the law shall define the appropriate judge or court to lodge the constitutional adjudication. Such judge or court can suspend temporarily the challenged act in accordance with the law.

(Reformed by the decree published on June 6, 2011)

XIII. In the event that specialized courts of the same circuit defend contradictory criteria regarding constitutional adjudication under their jurisdiction, then the Attorney General, the specialized circuit courts, their members, the district judges or the parties can report this contradiction to the appropriate circuit court, which shall decide which argument shall prevail as legal precedent.

In the event that circuit courts belonging to different circuits, or the specialized circuit courts belonging to the same circuit, or the circuit courts of the same circuit with different specialization defend contradictory criteria, then the ministers of the Supreme Court of Justice of the Nation, the circuit courts or the bodies mentioned in the previous paragraph can report this contradiction to the Supreme Court of Justice, so that the Plenary Meeting or the respective courtroom decides which argument shall prevail.

In the event that the courtrooms belonging to the Supreme Court of the Nation defend contradictory criteria in the constitutional adjudications under their jurisdiction, then the ministers of the Supreme Court of Justice of the Nation, the specialized circuit courts, their members, the district judges, the Attorney General or the parties can report this contradiction to the Supreme Court of Justice, so that the Plenary Meeting or the respective courtroom decides which argument shall prevail.

Rulings pronounced by the Plenary Meeting of the Supreme Court of Justice or by one of its courtrooms, or by the circuit courts according to the previous paragraphs, shall only establish jurisprudence. They shall not affect the specific legal situations derived from the sentences pronounced in the trials where contradictory legal precedents arose.

(Repealed by the decree published on June 6, 2011)

XIV. Repealed

XV. The Attorney General, or the federal public prosecutor appointed by him/her, shall be an interested party in all constitutional adjudications. However, they can abstain from intervening when they consider that the case has not public interest.

(Reformed by the decree published on June 6, 2011)

XVI. If the authority responsible fails to enforce the sentence pronounced in the constitutional adjudication, but such failure is justified, then the Supreme Court of Justice of the Nation shall grant the authority responsible a reasonable term to enforce the sentence, according to the procedure provided by the law. This term may be extended at the request of the authority responsible. If failure to observe the sentence is not justified, or the term has expired, then the Supreme Court of Justice shall separate the head of the authority

responsible from office and bring him/her to trial before the appropriate district judge. This will apply also to the superior of the authority responsible if he/she is liable, as well as to the previous heads of the authority responsible, if they failed to enforce the sentence.

If, after that the constitutional adjudication has been granted, the act in question is repeated, the Supreme Court of Justice shall separate the head of the authority responsible from office, according to the procedure established by law, notifying the Federal Public Prosecution Service, unless the authority responsible acted with no premeditation and cancels the act in question before the Supreme Court of Justice pronounces the respective ruling.

The Supreme Court of Justice can replace the sentence pronounced in a constitutional adjudication, by its own motion or at the request of plaintiff, when the execution of such sentence affects seriously the society or third parties, more than the benefits granted to the plaintiff, or when it is impossible or excessively expensive restore the previous situation. Then, the sentence should be exchanged by an economic compensation to the plaintiff. For this purpose, the parties shall sign a covenant before the Supreme Court of Justice.

The constitutional adjudication cannot be filed until the sentence is enforced.

(Reformed by the decree published on June 6, 2011)

XVII. The responsible authority shall be prosecuted before the appropriate authority if it fails to suspend the challenged act having the duty to do so, as well as if it accepts a false or inadequate bail.

XVIII. Repealed.

## **TITLE FOUR**

Public servants accountabilities

(First paragraph was reformed through a decree published on November 13, 2007)

### Article 108

For the purposes of this Title, public servants or civil servants are the representatives elected by popular vote, the members of the Federal Judicial Branch, the members of the Judicial Branch of the Federal District, the officials, the public employees and, in general, any person who holds any position or assignment in the Congress of the Union, in the Federal District's Assembly of Representatives, in the federal government or in the Federal District

Government. Public servants are also the persons who work in the autonomous bodies created by this Constitution. Public servants are accountable for the acts or omissions they commit in the performance of their duties.

The President of the Republic, during his term in office, may be impeached only for treason or serious common crimes.

Governors, representatives of the state Houses, magistrates of the state Supreme Courts and members of the local Judicial Councils shall be liable for infringements of this Constitution and federal laws, as well as for mishandling federal funds and resources.

The constitutions of the states shall call public servant every person that performs a job, position or assignment in the state government or in a local council, and shall define his accountabilities.

#### Article 109

The Congress of the Union and the state legislatures shall issue, within their jurisdiction, the laws and penalties applicable to the public servants, and shall define their liabilities according to the following provisions.

I. The public servants mentioned in the Article 110 can be impeached and punished when they commit acts or omissions that affect fundamental public interests or their defense.

Impeachment due to expression of ideas is not accepted.

II. Perpetration of crimes by any public servant shall be prosecuted and punished according to the criminal law.

III. Administrative penalties shall be imposed to the public servants who commit acts or omissions affecting their legality, honesty, loyalty, impartiality and efficiency while performing their duties.

Procedures to impose the penalties shall be carried out independently. Penalties of the same nature may not be imposed twice for the same act.

The law shall define the cases and circumstances under which a civil servant can be punished with imprisonment due to illicit enrichment. A public servant commits the criminal offense of illicit enrichment when, during his term, his assets significantly increase in a manner that cannot reasonably be explained in relation to his lawful income, either the public servant perpetrates the offense by himself or through an intermediary. The applicable penalty

established by the criminal law for the criminal offense of illicit enrichment is confiscation and loss of properties, plus the other applicable penalties.

Any citizen can lodge an accusation related to illicit enrichment before the House of Representatives. Such citizen must provide the necessary evidence.

#### Article 110

The following civil servants may be impeached: senators, representatives, ministers of the Supreme Court of Justice of the Nation, councilors of the Federal Judicial Council, secretaries of state, members of the Federal District's Assembly of Representatives, the Head of the Federal District Government, the Attorney General of the Nation, the Attorney General of the Federal District, the circuit magistrates, district judges, magistrates and judges of ordinary courts, councilors of the Federal District's Judicial Council, the President Councilor, the electoral councilors, the Executive Secretary of the Federal Electoral Institute, magistrates of the Electoral Court and general managers of the decentralized agencies, semipublic companies, associations assimilated by semipublic companies and public trusts.

Governors, state representatives, magistrates of the state Superior Courts and the members of the state Judicial Councils may be impeached only because of: a) serious infringement of this Constitution and the federal laws derived from it, b) mishandling federal funds and resources. However, the ruling shall be only declarative and shall be notified to the state legislature in order to implement the pertinent proceeding.

Penalties shall be removal from office and disqualification to perform any public function, job, position or assignment.

The procedure shall be as follows: the House of Representatives shall substantiate the case, shall hear the accused, the absolute majority of the members of the House shall declare the impeachment, the House of Representatives shall submit the impeachment to the Senate.

Then, the Senate shall carry out the necessary proceedings and shall hear the accused. The Senate then shall become jury and shall impose the appropriate penalty by the vote of the two-thirds of the members present.

Rulings pronounced by the House of Representatives and the Senate are irrefutable.

#### Article 111

In order to indict the senators, representatives, ministers of the Supreme Court of Justice of the Nation, magistrates of the Supreme Court of the Electoral Court, councilors of the Federal Judicial Council, secretaries of state, members of the Federal District's Assembly of

Representatives, the Head of the Federal District Government, the Attorney General of the Nation, the Attorney General of the Federal District, the President Councilor and the electoral councilors for perpetration of crimes during their terms, the House of Representatives shall declare, by absolute majority, whether there are grounds to proceed against the accused.

A negative declaration by the House of Representatives shall suspend any further procedure. However, such a suspension shall not resolve the indictment in a definitive way. Once the accused finish his term in office, he can be put on criminal trial if the charges remain.

If the House of Representatives declares the indictment, the individual shall be turned over the respective authorities, which shall proceed according to the law.

The President of the Republic may be charged only before the Senate and according to the provisions established by the Article 110. The senate shall resolve the case observing the applicable criminal law.

In order to indict governors, state representatives, magistrates of the state Superior Courts and the members of the state Judicial Councils for federal crimes, the procedure established in this article shall be followed. However, the ruling shall be only declarative and shall be notified to the state legislature in order to implement the pertinent proceedings.

Rulings pronounced by the House of Representatives and the Senate are irrefutable.

Penalties shall be removal from office while the accused is on trial. In the event of acquittal, the accused can resume duties. In the event of guilty verdict, pardon may not be granted to the accused, provided that the crime was perpetrated during his term.

Related to lawsuits on civil matter against any public servant, it is not necessary that the Congress declares the properness of the proceedings.

Prison sentences shall be applied according to that established in the criminal law. In the case of crimes where the perpetrator obtains economic benefit or cause damage or loss to property, prison sentence shall be proportional to the profit obtained by the accused and to the damages and losses caused by his unlawful conduct.

Economic penalties cannot exceed three times the amount of gains obtained or the damages or losses caused.

Article 112

It is not necessary that the House of Representatives declares the properness of the proceedings when any public servant, mentioned in the first paragraph of the Article 111, perpetrate a crime when he is not holding office.

However, if the public servant resumes duties or has been appointed or elected for a new position, which is mentioned in the Article 111, he shall be indicted according to such article.

### Article 113

The laws on administrative liabilities shall define public servants' duties in order to specify their legal obligation to perform their functions, jobs, positions or assignments in a legal, honest, loyal, impartial and efficient way. Such laws shall also specify the punishments applicable to offenders, as well as the procedures to be followed and the authorities who shall apply such penalties. Penalties may include, in addition to those established by law: suspension, removal from office, disqualification and economic penalties. Economic penalties shall be proportional to the profits obtained by the offender and to the damages and losses caused by his acts or omissions according to the Article 109, paragraph III. Economic penalties may not exceed three times the gain obtained by the offender.

The State shall have direct and objective liability regarding the damages caused by its irregular administrative activities on the properties or rights of private persons. Private persons shall be entitled to an indemnification according to the bases, limitations and procedures established by law.

### Article 114

Impeachment against a public servant can be initiated only during the period of time he is holding office and within the first year after such term. Punishments shall be applied within the first year after that proceedings have initiated.

Crimes perpetrated by a public servant during the period of time he is holding the office shall be punished according to the statutes of limitations provided by the criminal law. Such terms shall never be shorter than three years. Statute of limitations shall be interrupted while the public servant holds any of the offices listed in the Article 111.

The law shall establish the cases where the statute of limitations shall be applied to administrative liability, taking into account the nature and consequences of the acts or omissions mentioned in the Article 109, paragraph III. Statute of limitations shall never be shorter than three years for serious offenses.

## **TITLE FIVE**

Mexican states and the Federal District

Article 115

The states comprising the United Mexican States shall adopt a republican, representative and popular form of government. The states shall be divided into municipalities, which shall be the basis of the political and administrative organization according to the following criteria:

I. Each municipality shall be governed by a City Council, which shall be composed of a mayor and the number of councilors and community representatives established by law, who shall be elected by direct vote. The City Council shall exercise the powers granted by this Constitution to the local governments. There is no intermediate authority between the City Council and the state government.

Mayors, councilors and community representatives may not be reelected for the immediate next term. Persons who, through indirect election or appointment, perform duties corresponding to said offices, no matter the position name, may not be elected for the immediate next term. The incumbent mayors, councilors and community representatives may not be elected as substitutes for the immediate next term. However, the substitutes may be elected as incumbents for the immediate next period, unless they have performed the duties of the office.

State legislatures, by resolution of the two-thirds of their members, can suspend a City Council, eliminate it or suspend or revoke the powers of any of its members due to a serious cause mentioned by law, provided that the members of the City Council have had sufficient opportunity to submit evidence and provide arguments.

Substitutes shall be appointed to the vacant positions, unless otherwise ordered by law.

In the event that the state legislature eliminates a City Council, or in the event of resignation or absolute absence of the majority of its members, when the law does not allow the substitutes to finish the term nor to call elections, the state legislature shall appoint some inhabitants to make up a city board, which shall finish the term. The law shall establish the number of members for such city board. The members of the city board shall meet the same requirements than the councilors.

II. Municipalities shall be vested with legal status and shall manage their own assets in accordance with the law.

The state legislatures shall enact laws to empower City Councils to approve judicial edicts, government ordinances, regulations, notifications and administrative orders within their respective jurisdictions. The state legislatures shall empower the City Councils also to



organize local government, to regulate public procedures, functions, affairs and services and to encourage citizen participation.

The purpose of such laws shall be to define:

- a) The general basis of the local public administration and the administrative procedures, including legal remedies and the bodies that shall resolve the controversies that could arise between the local government and private individuals, observing the principles of equality before the law, open trial, hearing and legality.
- b) The cases where the consent of the two-thirds of the City Council members is required to pronounce rulings affecting the City Council's assets, or to make and execute agreements or acts for a period longer than the term of the City Council in question.
- c) The norms to be applied to the agreements mentioned in the paragraphs III and IV of this article and in the second paragraph of the Article 116 of this Constitution.
- d) The procedure to be followed by the state government in order to take charge of a local function or service because of the lack of a service provision agreement. In this case, it shall be necessary a previous request from the City Council in question, approved by at least the two-thirds of its members.
- e) The provisions to be applied in those municipalities where there are not ordinances.

State legislatures shall establish the procedures to be followed in order to resolve conflicts that may arise between the City Councils and the state government, or between two or more City Councils, caused by the acts mentioned in the previous paragraphs "c" and "d".

III. City Councils shall be in charge of the following functions and public services:

- a) Drinking water, drainage, sewerage system, treatment and disposal of sewage.
- b) Street lighting.
- c) Garbage cleaning, collection, transport, treatment and final disposal.
- d) Municipal markets and wholesale markets.
- e) Cemeteries.
- f) Slaughterhouse.

g) Streets, parks and gardens, as well as their equipment.

h) Public security, according to the provisions established by the Article 21 of this Constitution, as well as the local police.

i) Other affairs determined by the state legislature, depending on the territorial, social and economic conditions of the municipality and on the administrative and financial resources of the City Council.

The City Councils shall observe the federal and state laws, provided that they do not affect their functions or public service provision.

Two or more City Councils can coordinate their activities and collaborate to improve public services and their functions. For this purpose, the approval of the state legislature is necessary. When two or more City Councils belonging to different states want to collaborate, the approval of their respective state legislature is necessary. Likewise, a City Council and the respective state can make and execute agreements to authorize the state to temporarily take charge of one or some public services, directly or through the appropriate body. The City Council and the respective state can also agree to provide public services in a coordinated manner.

Indigenous communities belonging to the same municipality can also coordinate their activities and collaborate according to the law and for the purposes indicated thereof.

IV. City Councils shall freely manage their properties and assets, which shall be composed of the yields generated by their properties, as well as of the taxes and other revenues authorized by the state legislatures. City Council's assets shall include:

a) Property tax and taxes on breaking up, division, consolidation, improvement and transfer of property, as well as any others that result from a change in the value of real estate.

City Councils can make and execute agreements with the state to authorize the state government to take charge of some functions regarding to management of local taxes.

b) Federal contributions authorized annually by the state legislature, specifying conditions, amounts and terms.

c) Revenue generated by provision of public services.

Federal laws shall not restrict the power of the state legislatures to fix the taxes and prices of the public services mentioned in the previous paragraphs "a" and "c". Federal laws shall not grant tax exemptions thereof. State laws shall not grant tax exemptions or allowances to the

benefit of any person or institution. Only the properties belonging to the federal, state and local governments shall be exempt from taxes, provided that they are not used by semipublic or private entities for purposes different to those defined as public purpose.

City Councils shall submit to the state legislature their proposal for tolls, charges, rates, taxes and the table of property value, which serve as basis to fix the property tax.

(Reformed through a decree published on August 24, 2009)

State legislatures shall approve the revenue law for the City Councils, and shall review their public accounts. The expense budget shall be approved by the City Council, based on the available revenue. The expense budget shall include detail information about the salaries of the local public servants, according to that established in the Article 127 of this Constitution.

The resources constituting the municipal treasury shall be applied directly by the City Council or by whoever it authorizes, according to the law.

V. In accordance with the terms provided by the applicable federal and state laws, the City Councils shall have power to:

- a) Plan, approve and manage urbanization and urban development.
- b) Participate in the creation and administration of its own territorial reserves.
- c) Participate in regional development planning. Federal and state governments shall invite City Councils to participate in regional development planning.
- d) Authorize, control and supervise land use within their territory and jurisdiction.
- e) Intervene in regularization of urban land tenure.
- f) Grant construction permits.
- g) Participate in creation and administration of nature reserves and in development and application of rules on this topic.
- h) Intervene in development and implementation of public transportation programs, provided that such programs affect the City Council's territory.
- i) Make and execute agreements to manage and protect federal zones.

The City Councils shall have power to issue administrative regulations and provisions necessary for the performance of their duties, where applicable and according to the purposes established in the third paragraph of the Article 27 of this Constitution.

VI. When two or more shanty towns located in two or more different municipalities or states tend to form one single urban settlement, then the federal, state and local governments involved shall collaborate to plan and regulate the development of such urban settlement, observing the applicable federal law.

(Reformed through a decree published on June 18, 2008)

VII. Local police shall be under the Mayor's command, according to the terms established by the State Public Security Act. Local police shall obey the orders given by the Governor in case of force majeure or serious disturbances of public order.

The President of the Republic shall have command of public force in the place where he resides regularly or temporarily.

VIII. State laws shall introduce the principle of proportional representation in the election of the City Council members. Labor relations between the City Council and its employees shall be guided by the applicable state laws, in accordance with the Article 123 of this Constitution and its statutory provisions.

IX. Repealed.

X. Repealed.

#### Article 116

Public power of a state shall be divided into three branches: executive, legislative and judicial. Two or more of these powers cannot be united in one single person or corporation, nor shall the legislative branch be vested in one single person.

Public powers of a state shall be subjected to the state constitution, according to the following provisions:

I. Governors shall hold the office during a term of six years.

Governors and state representatives shall be elected by direct vote in accordance with that established in the applicable electoral law.

The incumbent governors cannot be elected for a second period, even as interim, provisional, substitute or secretary in a state department.

The following public servants may never be elected for the subsequent term:

- a) The substitute of a governor or the person appointed to finish the term due to the absolute absence of the incumbent governor, even if the position has a different name.
- b) The interim governor, the provisional governor or the person appointed to substitute the governor during temporary absences, which take place during the last two years of the governor's term.

(Reformed through a decree published on September 26, 2008)

To become governor, a person shall: a) be a Mexican citizen by birth, b) be a native of the respective state or live in such state for no less than five years immediately before the day of the election, and c) be at least 30 years old the day of the election. The state constitution can establish a younger age for the governor.

II. The quantity of representatives in the state congress shall be proportional to the number of inhabitants. The minimum quantity of representatives shall be seven, even if the state has a population of less than 400 000 inhabitants. The states with a population between 400 000 and 800 000 inhabitants, shall have nine representatives. The states having a population of more than 800 000 inhabitants shall have a minimum of 11 representatives.

State representatives may not be elected for the subsequent term. Substitute representatives may be elected for the subsequent term as incumbents, provided that they did not hold the office. However, incumbent representatives may not be elected for the subsequent term as substitutes.

State representatives shall be elected according to the principle of majority voting and the principle of proportional representation, observing the conditions established by the state laws.

(Added through a decree published on August 24, 2009)

The state legislature shall approve the annual expense budget. Salaries for the public servants shall be subjected to the provisions established in the Article 127 of this Constitution.

(Added through a decree published on August 24, 2009)

The state legislative, executive and judicial branches, as well as the autonomous entities recognized by the state constitution, shall include detailed information about salaries for their employees in their proposals for the expense budget. These proposals shall follow the procedures provided by the state constitution and the applicable state laws.

(This paragraph was moved from the fourth to the sixth position, through a decree published on August 24, 2009)

State legislatures shall have an Auditing Office, which shall have autonomy regarding technical and managerial matters, as well as regarding its internal organization, functioning and decisions, according to the law. Auditing function shall be exercised according to the principles of posteriority, annuity, legality, impartiality and reliability.

(This paragraph was moved from the fifth to the seventh position, through a decree published on August 24, 2009)

The head of the state Auditing Office shall be appointed by the two-thirds of the members present in the House of Representatives of the state. The head of the state Auditing Office is appointed to serve for a period no less than seven years. He must have five years experience in matters of control, financial auditing and liabilities.

III. State judicial power shall be exercised by the courts established by the state constitution.

Independence of magistrates and judges in the performance of their duties must be guaranteed by the state constitution and the state organic laws, which shall establish the requirements for admission, training and staying to be complied by the employees of the state judicial branch.

Local magistrates shall meet the requirements established in sections I to V of the Article 95 of this Constitution. Persons that have held the office of Secretary or equivalent in a state department, of the state Attorney General or state representative during the year immediate previous to the day of appointment, may not be magistrates.

Magistrates and judges shall preferably be persons who have served efficiently and honestly in the judiciary, or who deserve the position because of their honorability, abilities and judicial career.

Magistrates shall hold the office during the period of time specified in the local constitution, they may be reelected, they may be removed from office only according to the state constitution and to the Public Service Accountability Act of the state.

Magistrates and judges shall receive an adequate remuneration, which is non-negotiable and may not be reduced.

(Reformed through a decree published on November 13, 2007)

IV. State constitutions and state electoral laws shall guarantee that:

a) Elections of governors, members of the local legislatures and members of the City Councils are carried out through the universal, free, secret and direct suffrage, and that the elections take place the first Sunday of July of the respective year. This provision shall not be applicable to the states where elections take place the same year than federal elections, but not the same day.

b) The principles of certainty, impartiality, independence, legality and objectivity govern the work of the electoral authorities.

c) The authorities in charge of organizing elections and the authorities that resolve electoral disputes are autonomous in the exercise of their functions and are independent while making decisions.

d) The administrative electoral authority has the power to make and execute an agreement with the Federal Electoral Institute, so that this entity organizes local elections.

e) Political parties are composed only of citizens, without intervention of labor-unions or other organizations, and that political parties are not affiliated to a corporation. State constitutions and state electoral laws shall also guarantee that the political parties have the right to register candidates, except by that established in the Article 2, section A, paragraphs III and VII, of this Constitution.

f) Electoral authorities shall intervene in the internal affairs of the parties only according to the provisions established by the electoral laws.

g) Political parties receive public funding, in a fair manner, for their permanent ordinary activities and electoral activities. State constitutions and state electoral laws shall also establish procedures to settle political parties that lose registration and shall decide over their properties and balances.

h) State constitutions and state electoral laws shall define restrictions to the expenditures made by the political parties during run-up and campaigns, as well as to the contributions made by sympathizers. The total amount of such contributions must not exceed 10% of the expenditure permitted by law for campaigns for governors. State constitutions and state

electoral laws shall also establish procedures to control and supervise the origin and use of the political parties resources, and shall define the penalties applicable to offenders.

i) The political parties have access to airtime in radio and television, according to the rules established in the Article 41, section III, paragraph B, of this Constitution.

j) State constitutions and state electoral laws shall regulate run-up and electoral campaigns and shall establish the appropriate penalties to offenders. Campaigns for governors shall last no longer than 90 days, campaigns for state representatives and members of the City Council shall last no longer than 60 days. Run-up shall last no longer than two-thirds of the campaign term.

k) Compulsory basis are established in order to coordinate financial inspection of political parties between the Federal Electoral Institute and the electoral authorities, according to the provisions established in the two last paragraphs of the section V of the Article 41 of this Constitution.

l) A system of legal remedies is established in order to guarantee legality of the electoral acts and rulings. State constitutions and state electoral laws shall establish conditions and rules to partially or totally recount votes.

m) The causes to annul elections for governors, for state representatives and for members of the City Councils are specified. State constitutions and state electoral laws shall also indicate the terms to file legal remedies and appeals, taking into account the principle of definitivity in setting the stages of electoral processes.

n) Crimes are classified and omissions are determined in electoral matters, as well as the sanctions that may be imposed for these.

V. The constitutions and laws of the states may institute courts of administrative questions, given full autonomy in making their rulings, that have as their responsibility to settle the controversies that arise between the state government and private parties. The constitutions and laws of the states shall establish the standards for organization and functioning of such courts, as well as the legal remedies and procedures against their rulings.

VI. Labor relations between the state government and its employees shall be regulated by the laws enacted by the state legislature, based on the Article 123 of this Constitution and on its statutory regulations.

VII. Federal government and state governments can agree transfer among them of some functions, provision of public services or implementation of works, whenever it is necessary for the economic and social development of the country.



State government and City Councils can make and execute agreements to provide public services or perform functions mentioned in the previous paragraph.

#### Article 117

In not case shall the states:

I. Conclude alliances or coalitions, or make treaties with any other state or foreign government.

II. Repealed

III. Mint money or issue money, stamps or stamped paper.

IV. Levy a road tax on the persons or goods that pass through their territory.

V. Impede, directly or indirectly, the entrance or exit of domestic or foreign merchandises, or levy a tax on them.

VI. Levy a tax on circulation and consumption of domestic and foreign products when taxes or fees are collected by the local customs, or the packages are subject to inspection or registration, or require it to be accompanied by documents.

VII. Enact or keep in force fiscal laws or provisions that establish differences between the taxes and requirements for domestic products and those stated for foreign products, either such differences are established in respect to similar local products or between similar products of different origin.

VIII. To make and execute, directly or indirectly, bonds or loan agreements with foreign governments, foreign associations or foreign private parties, or when such bonds or loans are to be paid with foreign currency or outside the country.

States, City Councils, decentralized bodies and public companies can make and execute bonds or loan agreements only when such resources are to be allocated to productive public projects. State legislature shall include the projects to be supported and the amounts for such bonds and loan agreements in the annual budget. Executives in charge shall inform about the use of these resources while submitting their public account.

IX. Levy a different tax on production, store or sale of leaf snuff than the tax authorized by the Congress of the Union.

The Congress of the Union and the state legislatures shall enact laws to fight alcoholism.

## Article 118

Without the Congress of the Union's consent, the states cannot:

- I. Establish tonnage duties or any other port duties, or levy a tax on importing or exports.
- II. Have permanent troops or warships.
- III. Declare war against foreign nation, except for cases of invasion or imminent danger. In such case, the state shall notify immediately the President of the Republic.

## Article 119

The Powers of the Union have the duty to protect the states against foreign invasion or violence. In the event of uprising or internal social unrest, the Powers of the Union must protect the state, as long as they are called by the state legislature, or by the governor if legislature is not in session.

Each state and the Federal District are obliged to deliver, without delay, those suspected, processed or convicted persons required by another state, as well as to carry out confiscation and delivery of objects and instruments used in perpetration of the crime and the benefits thereof. These obligations will be complied through the respective Ministries of Justice, observing the conditions established in the collaboration agreements made by the states. For this purpose, the states and the Federal District can make and execute collaboration agreements with the Federal Government, who shall act through the Attorney General's Office.

Calls for extradition, made by a foreign State, shall be processed by the President of the Republic, with the intervention of the judicial authority in accord with the provisions stated in this Constitution, in the applicable international treaties and in the statutory laws. In those cases, the writ of the judge, ordering to comply with the call for extradition, shall be enough to cause the person requested to be detained for up to 60 calendar days.

## Article 120

Governors are obliged to publish and uphold federal laws.

## Article 121

Each state of the Federation shall give full faith and credit to the public acts, registrations and judicial proceedings made by the other states. The Congress of the Union, through general

laws, shall establish the way for proving such acts, registrations and judicial proceedings and their effect, in accord with the following bases:

I. The laws of a state only have effect inside its territory, as a consequence, they have no effect outside thereof.

II. Personal property and real estate shall be subject to the local law applicable to the place where they are located.

III. Sentences passed by a court of a state about property rights on properties located in another state, may only be enforced in the other state when its own laws so provide it.

Sentences about personal rights may only be enforced in other state when the person judged has, expressly or by reason of residence, submitted himself to the jurisdiction of the courts that pronounced such sentences, provided that the person has been summoned to appear in the trial.

IV. Acts pertaining to marital status, carried out according to the laws of a state, shall be valid in the other states.

V. University degrees issued by a state government, in accord with its laws, shall be valid in the other states.

## Article 122

The legal nature of the Federal District has been defined in the Article 44 of this Constitution. The Federal District Government is entrusted to the Powers of the Union together with the local executive, legislative and judicial branches, observing the provisions established in this article.

The local authorities of the Federal District are: the Assembly of Representatives, the Head of the Federal District Government and the Supreme Court of Justice.

The Federal District's Assembly of Representatives shall consist of a number of representatives elected according to the principle of relative majority and the principle of proportional representation, following the procedures established by this Constitution and the Government Code.

The Head of the Federal District Government shall exercise the executive power and shall be responsible for the public administration of the entity. The Head of the Federal District Government shall be vested in one single person, elected through universal, free, direct and secret suffrage.

The Supreme Court of Justice and the Judicial Council of the Federal District, together with the other bodies established by the Government Code, shall perform the judicial functions related to common law in the Federal district.

The distribution of areas of jurisdiction among the Powers of the Union and the local authorities of the Federal District shall be subject to the following provisions:

A. It pertains to the Congress of the Union:

I. To legislate on what is relative to the Federal District, except for the affairs expressly conferred on the Assembly of Representatives.

II. To issue the Government Code for the Federal District.

III. To enact laws that regulate the public debt of the Federal District.

IV. To issue the general provisions that guarantee the appropriate, timely and efficient functioning of the Powers of the Union.

V. The other powers conferred by this Constitution.

B. It pertains to the President of the Republic:

I. To propose laws to the Congress of the Union related to the Federal District.

II. To propose to the Senate the person who should substitute the Head of the Federal District Government in the event of his removal.

III. To submit annually to the Congress of the Union his proposal of indebtedness in order to fund the expenditure budget of the Federal District, based on the proposal submitted to him by the Head of the Federal District Government, which shall meet the requirements established by law.

IV. To uphold the administrative laws enacted by the Congress of the Union related to the Federal District.

V. The other powers conferred by this Constitution, the Government Code and the laws.

C. The Government Code of the Federal District shall be subject to the following bases:

FIRST BASE. Regarding the Assembly of Representatives:

I. The members of the Assembly of Representatives shall be elected every three years through universal, free, direct and secret vote, in accord with the provisions established by law. The Assembly of Representatives shall take into account that established in the Articles 41, 60 and 99 of this Constitution in order to organize elections, issue the certificates of majority and accept the legal remedies on electoral matter.

II. Qualifications to be a representative in the Assembly shall not be less than those required to be a federal deputy. The compatible provisions included in the Articles 51, 59, 61, 62, 64 and 77, paragraph IV, of this Constitution shall be applied to the Assembly of Representatives and its members.

III. The political party that attains the largest number of certificates of majority and at least the 30% of the votes in the Federal District, shall obtain a sufficient number of representatives by proportional representation to attain an absolute majority in the Assembly.

IV. The Assembly of Representatives shall fix the dates for the beginning of two ordinary periods of sessions per year, and shall establish the procedure to make up an internal organ of government that will act during its recesses, as well as the attributions of such internal organ. The internal organ of government can call to an extraordinary period of sessions at the request of the majority of its members or of the Head of the Federal District Government.

V. The Assembly of Representatives, observing the Government Code, shall have the following powers:

a) To issue its own organic law and to send it to the Head of the Federal District Government so that it is published.

(Reformed through a decree published on August 24, 2009)

b) To review, discuss and approve annually the expense budget and the revenue law for the Federal District, approving first the contributions necessary to cover the budget. Such budget shall include the salaries of the public servants, which shall be subject to the provisions established in the Article 127 of this Constitution.

(Paragraph added through a decree published on August 24, 2009)

All the legislative, executive and judicial organs of the Federal District, as well as the autonomous bodies mentioned in the Government Code of the Federal District, shall include the salaries of their employees in their proposals of expenditure budgets. The Government Code of the Federal District and the applicable laws shall establish the procedure to approve the expenditure budget of the Federal District.

(This paragraph was moved from the second to the third place through a decree published on August 24, 2009)

The revenue law for the Federal District cannot include indebtednesses higher than those previously approved by the Congress of the Union for the financing of the expenditure budget for such entity.

(This paragraph was moved from the third to the fourth place through a decree published on August 24, 2009)

Only the Head of the Federal District Government can submit the revenue law and the expenditure budget. The term to submit them ends on November 30, except for the years when the election of the Head of the Federal District Government takes place, in which case deadline shall be December 20.

(This paragraph was moved from the fourth to the fifth place through a decree published on August 24, 2009)

The Assembly of Representatives shall submit annually its proposal for the budget to the Head of the Federal District Government in order to include it in the general proposal.

(This paragraph was moved from the fifth to the sixth place through a decree published on August 24, 2009)

The provisions included in the Article 115, section IV, point “c”, second paragraph, of this Constitution shall be applicable to the treasury of the Federal District in all matters consistent with its nature and organic system of government.

(First paragraph was reformed through a decree published on May 7, 2008)

c) To review the public account corresponding to the year before, through its Auditing Office and in accord with the applicable criteria established in the Article 74, section VI, of this Constitution.

Public account corresponding to the previous year shall be submitted to the Assembly of Representatives in the first ten days of June. This term may be extended only when the Head of the Federal District Government justifies it sufficiently. The same shall apply for the extensions for submitting the revenue law and the expenditure budget.

(Paragraph added through a decree published on May 7, 2008)

The Head of the Auditing Office of the Federal District shall be elected by the two-thirds of the members present in the Assembly of Representatives. He shall hold the office for a seven years period and shall have five years experience in matters of control, financial auditing and liabilities.

d) To appoint a substitute for the Head of the Federal District Government in case of absolute absence.

(Paragraph reformed through a decree published on May 7, 2008)

e) To issue the legal provisions required to organize public treasury, the budget, bookkeeping and public spending of the Federal District, as well as the provisions required to organize the Auditing Office, vesting it with technical and operational autonomy to perform its functions and to decide its internal organization, functioning and decision making. Auditing function shall be exercised according to the principles of posteriority, annuity, legality, impartiality and reliability.

(Reformed through a decree published on November 13, 2007)

f) To issue the provisions required to guarantee free and authentic elections in the Federal District through the universal, free, secret and direct suffrage, according to the bases established by the Government Code, which shall observe the principles and rules provided in the Article 116, section IV, paragraphs “b” to “n”, of this Constitution. Provisions established in the paragraphs “j” and “m” for governors, local representatives and City Councils shall apply, respectively, to the Head of the Federal District Government, members of the Assembly of Representatives and district chiefs.

g) To legislate in matters of local administration, its internal organization and internal administrative procedures.

h) To regulate the Human rights Commission and to legislate in civil and criminal matters and in other matters like citizen participation, defender service, notary service and the land and commerce registry.

i) To establish standards for civil protection, for penalties applicable to the employees of police bodies and the government, for the security services provided by private companies, for prevention and social readjustment, for public health and social work, and for social security.

j) To legislate in matters of development planning; urban development, specially on land use; environmental preservation; housing; construction; public roads; traffic and parking; acquisitions and public works; and exploitation and use of the Federal District’s resources.

k) To regulate provision and contracts of public services; to legislate in matters of public transport, cleaning services, tourism and lodging, markets, slaughterhouse, wholesale markets and cemeteries.

l) To issue regulations on economic stimulations; employment protection; development of the agricultural and livestock sector; commercial establishments; animal protection; public shows; cultural, civic and sports promotion; and social education in accord with the Article 3, section VIII, of this Constitution.

m) To enact the organic law of the courts in charge of common affairs under the jurisdiction of the Federal District, which shall specify the accountabilities of their public servants.

n) To enact the organic law of the Court of Administrative Litigation of the Federal District.

ñ) To submit bills to the Congress related to the Federal District's affairs.

o) Other powers conferred expressly by this Constitution.

SECOND BASE: Regarding the Head of the Federal District Government:

I. The Head of the Federal District Government shall hold office for a six years term, beginning on the 5th day of December of the year in which election was carried out, in accordance with that established in the electoral law.

In order to be eligible for the office of the Head of the Federal District Government, the individual shall meet the requirements established by the Government Code, including: a) to be a Mexican citizen by birth with legal capacity to exercise his rights; b) to have lived in the Federal District for the three years previous to the date of the election, if he was born in the Federal District; c) to have lived in the Federal District for the five years previous to the date of the election, in a continuous manner, if he was born in another entity; d) to be at least 30 years old on the election day; e) not to have discharged previously the office of the Head of the Federal District Government with any character. Residence is not interrupted by the discharge of federal public duties in another state.

In the event of dismissal of the Head of the Federal District Government, the Senate shall appoint a substitute to finish the mandate. Such substitute must be proposed by the President of the Republic. In the event of a temporary absence of the Head of the Federal District Government, the office shall be entrusted to the public servant indicated in the Government Code. In case of absolute absence, because of resignation or any other cause, the Assembly of Representatives shall appoint a substitute that finishes the term. Resignation of the Head of the Federal District Government shall be accepted only due to serious causes. The Government Code shall regulate the leaves for this office.



II. The Head of the Federal District Government shall have the following powers and duties:

- a) To comply and execute the administrative laws applicable to the Federal District, which are enacted by the Congress of the Union.
- b) To pass, publish and execute the administrative laws issued by the Assembly of Representatives by means of issuing regulations, decrees and covenants. The Head of the Federal District Government, within a ten days term, can make comments about the laws submitted to him by the Assembly of Representatives for enactment. Should the project with comments be confirmed by the two-thirds of the deputies present, it must be enacted by the Head of the Federal District Government.
- c) To submit bills to the Assembly of Representatives.
- d) To appoint and remove freely the public servants subordinated to the local executive organ, whose appointment or dismissal is not foreseen in a different manner by this Constitution or by the applicable laws.
- e) To manage public security services in accord with the Government Code.
- f) Other powers and duties conferred by this Constitution, the Government Code and the law.

THIRD BASE. Regarding the organization of the local public administration in the Federal District:

I. The Government Code shall distribute attributions among the central organs and the decentralized bodies.

II. The Government Code shall establish the political-administrative agencies in every neighborhood of the Federal District.

It shall also specify: the criteria to carry out the territorial division of the Federal District; the responsibilities of each one of the political-administrative agencies, the way to create them and their functioning; relationships between such political-administrative agencies and the Head of the Federal District Government.

Directors of the political-administrative agencies shall be elected through a universal, free, secret and direct manner, according to the law.

FOURTH BASE. Regarding the Supreme Court of Justice of the Federal District and the other judicial bodies in charge of common affairs:

I. Magistrates composing the Supreme Court of the Federal District shall meet the same requirements than the ministers of the Supreme Court of Justice of the Nation. Besides, they should have professional experience at judicial affairs, preferably in the Federal District. The Supreme Court of the Federal District shall have the number of magistrates indicated in the applicable organic law.

In the event of vacancies, the Head of the Federal District Government shall submit his proposal to the Assembly of Representatives for approval. Magistrates shall hold the office for a term of six years. They may be ratified by the Assembly of Representatives, if so, they may be removed from office only in the cases established in the Title Four of this Constitution.

(Reformed through a decree published on April 27, 2010)

II. Administration, supervision and discipline of the Supreme Court, the trial courts and the other judicial organs shall be the responsibility of the Federal District Judicial Council, which shall be composed of seven members: the president of the Supreme Court of Justice of the Federal District, who shall chair; a magistrate and two judges, elected by the two thirds of the members of the Supreme Court, in plenary meeting; one councilor appointed by the Head of the Federal District Government; and two councilors appointed by the Assembly of Representatives. Councilors must meet the same requirements than magistrates. They must have professional and administrative experience, they must be honest and honorable. Councilors appointed by the Supreme Court must have proven experience in judicial field. Councilors shall serve for a five years term, they shall be replaced in a staggered way. Councilors may not be appointed for a second term.

The Federal District Judicial Council shall appoint the judges for the Federal District, according to the provisions regulating the judicial career. The Judicial Council shall also define the quantity of courts and courtrooms belonging to the Supreme Court that shall build up the Judicial Branch of the Federal District, as well as their specialization.

III. Responsibilities and operating standards of the Federal District Judicial Council shall be determined taking into account the provisions established in the Article 100 of this Constitution.

IV. The Organic Law shall state rules to provide training and updating to the public officials, as well as to develop their judicial career.

V. Impediments and penalties established in the Article 101 of this Constitution shall be applicable to the councilors, magistrates and judges.

VI. The Federal District Judicial Council shall prepare the budget for the Federal District courts and shall submit it to the Head of the Federal District Government to include it in the general budget that shall be sent to the Assembly of Representatives.

FIFTH BASE. There shall be a court of administrative litigation, which shall have full autonomy to resolve conflicts between private individuals and the Federal District Government.

This court shall have an organic law, which will establish its creation and attributions.

D. The head of the Federal District Public Prosecution Service shall be the Federal District Attorney General, who must be elected according to the conditions provided by the Government Code. The Government Code and the applicable organic law shall determine organization, powers and operation of the Federal District Public Prosecution Service.

E. The provisions set forth in the section VII of the Article 115 of this Constitution shall apply to the President of the Republic. Appointment and dismissal of the public servant in direct charge of the public force shall be carried out according to the terms established in the Government Code.

F. The Senate, or the Permanent Committee, can dismiss the Head of the Federal District Government due to serious causes affecting relationship between him and the Powers of the Union, or affecting the public order in the Federal District. Dismissal request must be presented by a half of the members of the Senate or of the Permanent Committee.

G. The City Councils of the Federal District suburbs can make and execute agreements with the Federal District Government and the Federal Government in order to create metropolitan commissions that coordinate planning and implementation of actions related to human settlements, protection of the environment, preservation and restoration of ecological balance, transport, drinking water, drainage, garbage collection, treatment and disposal of solid waste, and public security, observing the provisions established in the Article 115, section VI, of this Constitution.

The commissions will be created by mutual agreement of the participants. The document of creation shall determine the procedure for integration, structure and functions.

Through the commissions, it shall be established:

a) The bases to make and execute agreements inside the commissions. Such agreements shall define the territorial scope and functions of each City Council regarding public works, provision of public services or actions mentioned in the first paragraph of this part.

b) The bases to define the specific functions of the members of the commissions, as well as the contributions of material, human and financial resources.

c) Other rules for the mutual and coordinated regulation of development of the suburbs, provision of public services and implementation of other actions approved by the commissions.

H. The prohibitions and limitations that this Constitution establishes for the states shall apply to the Federal District authorities.

## **TITLE SIX**

Labor and social security

### Article 123

Every person has the right to have a decent and socially useful job. Therefore, job creation and social organization of work shall be encouraged according to the law.

The Congress of the Union, without contravening the following basic principles, shall formulate labor laws which shall apply to:

A. Workers, day laborers, domestic servants, artisans and, in a general way, to all labor contracts:

I. The maximum duration of the working day shall be eight hours.

II. The maximum duration of night work shall be seven hours. The following jobs are prohibited for persons under sixteen years: unhealthful or dangerous work, industrial night work and any work after ten o'clock at night.

III. The use of labor of minors under fourteen years of age is prohibited. Persons above that age and less than sixteen shall have a maximum working day of six hours.

IV. For every six days of work a worker must have at least one day of rest.

V. During pregnancy, women shall not perform such work that requires excessive physical effort and could be dangerous regarding pregnancy. Women have the right to enjoy a disability leave due to childbirth, which shall cover six weeks previous to the birth and six weeks thereafter. During such disability leave, women shall receive their full wages and retain their employment and the rights acquired under their labor contract. During the

nursing period, they shall have two special rest periods per day, consisting of half hour each one, to feed their babies.

VI. The minimum wage shall be established in a general way or according to the occupation. General minimum wage shall govern over the different economic zones. Professional wages shall apply on specific industries, professions, trades or special works.

The general minimum wage must be sufficient to satisfy the normal material, social, and cultural needs of a family, and to provide the compulsory education of children. The professional minimum wage shall be fixed by taking into account, in addition, the conditions of the different industrial and commercial activities.

Minimum wages shall be fixed by a national commission composed of representatives of the workers, employers, and the Government. This national commission may be assisted by those special advisory committees it should consider necessary for a better performance of its duties.

VII. Equal wages shall be paid for equal work, regardless of sex or nationality.

VIII. The minimum wage shall be exempt from attachment, compensation, or deduction.

IX. Workers are entitled to participate in profit sharing, which shall be regulated in conformity with the following rules:

a) A national commission, composed of representatives of workers, employers, and the Government, shall fix the percentage of profits to be distributed among workers.

b) The national commission shall research and study the general conditions of the national economy. It shall also take into consideration the need to promote the industrial development of the country, the reasonable interest that should be obtained by capital, and the necessary reinvestment of capital.

c) The national commission may revise the percentage fixed under paragraph "a" of this section, whenever new studies and research so justify.

d) The law may exempt newly established enterprises from the obligation of sharing profits for a specified and limited number of years, as well as the exploration works and other activities so justified by their nature or peculiar conditions.

e) In order to determine the amount of the profits of each enterprise, the basis to be taken is the taxable income according to the provisions of the Income Tax Law. Workers may submit

to the appropriate office of the Department of the Treasury their objections, in accordance with the procedure indicated in the law.

f) The workers' right to participate in profit sharing does not imply the power to intervene in the management or administration of the company.

X. Wage must necessarily be paid in legal tender and cannot be paid in goods, coupons, tokens or any other instrument intended to substitute the money.

XI. When, due to extraordinary circumstances, working hours must be extended, the salary to be paid for overtime shall be 100% more than the amount fixed for regular hours. Overtime work may never exceed three hours a day nor three times consecutively. Persons under sixteen years of age may not perform overtime.

XII. All farming, industrial, or mining enterprise or any other kind of business, employers are obliged to provide to workers comfortable and hygienic housing. This obligation shall be discharged through contributions made by the companies to a national housing fund, which shall provide the workers with inexpensive loans, sufficient to acquire a house.

The law shall create a body composed of representatives of the Federal Government, of the workers and of the employers. Such body shall manage the resources of the national housing fund.

The law shall establish the procedures to be followed by the workers in order to get a loan to acquire a house.

The companies located outside the villages are obliged to establish schools, medical services and other services necessary in the community. In addition, in these work centers, when the population of the community exceeds 200 inhabitants, a tract of land of not less than five thousand square meters must be set aside for the establishment of public markets, municipal services and recreation centers.

Establishments for the sale of intoxicating liquors and casinos are prohibited in all work centers.

XIII. The companies are obliged to provide their workers with training for the job. The statutory law shall establish the systems, methods and procedures through which employers will meet this liability.

XIV. Employers shall be responsible for labor accidents and for occupational diseases of workers. Therefore, employers shall pay the appropriate compensation, depending on the consequences of the accident or disease: death or only temporary or permanent incapacity to

work, in accordance with the law. This liability shall survive even when the employer contracts the work through an intermediary.

XV. The employer shall observe the legal regulations on hygiene and health that are applicable to his establishment, and to adopt adequate measures for the prevention of accidents in the use of machines, instruments and materials. The employer must organize the work in such a way to protect the health and safety of workers and of unborn children, in the case of pregnant women. The law shall define the penalties applicable to offenders.

XVI. Both, employers and workers shall have the right to join together for the defense of their respective interests, by forming unions, professional associations, etc.

XVII. The laws shall recognize strikes and lockouts as rights of workers and employers.

XVIII. Strikes shall be legal when their purpose is to attain equilibrium between the several factors of production, harmonizing labor rights and the possibilities of the capital. In the case of public services, the workers must notify, at least ten days in advance, the Commission for Conciliation and Arbitration about the date agreed for the suspension of work. Strikes shall be considered as illegal only when the majority of strikers carries out violent acts against persons or property, or in the event of war, when the workers belong to governmental establishments or services.

XIX. Lockouts shall be legal only when an excess of production makes it necessary in order to maintain prices at a reasonable level, with prior approval of the Commission for Conciliation and Arbitration.

XX. Differences or disputes between employers and workers shall be subject to the decisions of the Commission for Conciliation and Arbitration, which shall consist of an equal number of workers and employers, and one government representative.

XXI. If an employer refuses to submit the conflict to the Commission for Conciliation and Arbitration or to accept the decision thereof, the work contract shall be terminated and the employer shall give to the worker a compensation equal to three months salary, plus the liabilities originated by the conflict. This provision shall not be applicable in the case of actions covered in the following section. If the workers refuse to submit the conflict to the Commission for Conciliation and Arbitration, the work contract shall be terminated.

XXII. If an employer fires a worker without just cause or because he has joined an association or union, or for having taken part in a lawful strike, then the employer is obliged to fulfill the work contract or to indemnify the worker with a quantity equal to three months salary, whatever the worker chooses. The law shall specify those cases in which the employer may

be exempted from the obligation of paying an indemnity. The employer is also obliged to pay a three months salary compensation to the worker if the worker leaves his employment due to the employer's lack of honesty or because the employer mistreats the worker or worker's wife, parents, children, brothers or sisters. The employer cannot be exempted from this liability when the mistreatment is inflicted by his subordinates or members of his family acting with his consent or tolerance.

XXIII. Credits in favor of workers for wages earned within the last year, and for compensations, shall have priority over all other obligations in the event of receivership or bankruptcy.

XXIV. Only the worker shall be responsible for debts acquired by himself and payable to his employer or to his employer's associates, relatives or dependents. In no case may payment be exacted from the members of the worker's family, nor are these debts demandable for an amount exceeding one month salary.

XXV. Employment services shall be free for workers, whether such service is performed by a municipal office, an employment agency or any other public or private institution.

When providing employment services, labor demand must be taken into account. In equal conditions, the persons who are the only income source for their family shall have preference.

XXVI. Every work contract made between a Mexican and a foreign employer must be authenticated by the responsible municipal authority and countersigned by the consul of the country to which the worker intends to go. Such work contract shall include a clause clearly specifying that the employer will bear the costs of repatriation.

XXVII. The following conditions or clauses shall be considered null and void and not binding on the contracting parties, even if expressed in the contract:

- a) Those that fix an inhuman working day.
- b) Those that fix wages that are not remunerative, according to the criteria of the Commission for Conciliation and Arbitration.
- c) Those providing a period longer than one week for the payment of a daily wage.
- d) Those indicating as the place of payment of wages a recreation center, cheap restaurant, coffee shop, tavern, bar, or store, except for the employees of such establishments;



e) Those indicating the direct or indirect obligation of acquiring basic products in specific stores or places.

f) Those that allow the retention of wages as a fine.

g) Those that constitute a waiver by the worker of indemnification to which he is entitled due to labor accidents, occupational diseases, damages caused by breach of contract or dismissal.

h) Any other provision that imply waiver of any right granted to workers by the laws.

XXVIII. The laws shall determine what property constitutes the family patrimony. Such property shall be inalienable, not subject to taxes or attachment, and shall be transferrable as inheritance, simplifying the formalities thereof.

XXIX. Social Security Act is enacted for social welfare. This act shall include disability benefit, retirement pension, life insurance, unemployment benefit, health services, nursery services, and other services intended to guarantee wellbeing of workers, farm workers and other kind of employees.

XXX. Cooperatives established for the construction of inexpensive and hygienic houses to be purchased on installments by workers, shall be considered of social utility.

XXXI. Enforcement of the labor laws belongs to the authorities of the states, within their respective jurisdictions. However, it is the exclusive jurisdiction of the federal authorities in matters relating to:

a) Industrial sector and services:

1. Textile industry

2. Electricity

3. Movie industry

4. Rubber

5. Sugar

6. Mining

7. Metallurgical, iron and steel industries, including the exploitation of basic minerals, their processing and steelworks, production of iron and steel in all their forms and alloys, and their rolled products.

8. Hydrocarbons

9. Petrochemistry

10. Cement

11. Limekilns,

12. Automobile industry, including car parts.

13. Chemical industry, including pharmaceutical and drug industry.

14. Cellulose and paper

15. Oils and vegetable fat

16. Food production, applicable only to industries producing packed, canned or bottled products.

17. Bottled and canned drinks, and related industries.

18. Railroad workers

19. Basic lumber industry, including sawmills and manufacture of plywood and agglutinate materials.

20. Manufacture of glass bottles and flat glass, either smooth or carved.

21. Tobacco industry, including manufacture of tobacco products.

22. Bank and credit institutions.

b) Enterprises:

1. Those enterprises that are administered directly or in a decentralized form by the Federal Government.

2. Those enterprises that have a contract or license granted by the Federal Government, and connected industries.

3. Those enterprises working in federal zones, in territorial waters or inside the exclusive economic zone of the nation.

The following topics shall be the exclusive jurisdiction of the federal authorities: a) labor disputes that affect two or more states; b) collective work contracts that have been declared obligatory in more than one state; c) employer's obligations related to educational matters, according to the respective law; d) employer's liabilities regarding training for workers, and safety and hygiene at work. State authorities shall assist federal authorities in matters under local jurisdiction, in accord with the applicable statutory law.

B. The Powers of the Union, the Federal District Government and their employees:

I. The maximum duration of the working day shall be eight hours. The maximum duration of night work shall be seven hours. Those in excess will be considered overtime, the salary to be paid for overtime shall be 100% more than the amount fixed for regular hours. Overtime work may never exceed three hours a day nor three times consecutively.

II. For every six days of work, the employee must have at least one day of rest, with full payment of wage.

III. Workers shall be entitled to vacations of not less than twenty days a year.

(First paragraph was reformed through a decree published on August 24, 2009)

IV. Wages shall be fixed in the respective budgets, and their amount may not be decreased while a given budget is in effect, observing the provisions stated by the Article 127 of this Constitution.

In no case, the wages of the public servants may be lower than the minimum wage established for the Federal District and the states.

V. Equal wages shall be paid for equal work, regardless the gender.

VI. Withholdings, discounts, deductions or attachments from wages may be made only in those cases provided by law.

VII. There shall be a system to appointment personnel according to their knowledge and skills. The State shall organize schools on public administration.

VIII. There shall be a scale in order to grant promotions in accordance with knowledge, skills and seniority. Under the same conditions, the individual representing the only source of income for his family shall have preference.

IX. Workers may be suspended or fired only due to just cause and according to the law.

In the event of unjustifiable dismissal, employees have the right to choose between reinstatement and the appropriate indemnity through the appropriate legal proceedings. In case of positions axing, the affected workers shall have the right to get another position equivalent to the position that has been axed or to get an indemnity.

X. Public employees shall have the right to join together in order to protect their common interests. They may also exercise their right to strike, observing the requirements prescribed by law, whenever the rights established by this article are generally and systematically violated.

XI. Social security shall be organized according to the following minimum bases:

a) Social security shall cover work accidents, occupational diseases and other diseases, motherhood, retirement, disability, old age, and death.

b) In case of accident or illness, the right to work shall be retained for the time specified by law.

c) During pregnancy, women shall not perform such work that requires excessive physical effort and could be dangerous regarding pregnancy. Women have the right to enjoy a disability leave due to childbirth, which shall cover one month previous to the birth and two months thereafter. During such disability leave, women shall receive their full wages and retain their employment and the rights acquired under their labor contract. During the nursing period, they shall have two special rests per day, consisting of half hour each one, to feed their babies. In addition, they shall enjoy medical and obstetrical services, medicines, nursing aid and nursery services.

d) Worker's family has the right to medical care and medicines, in those cases and in the proportions specified by law.

e) The Social Security System shall create centers for vacations and convalescence, as well as cheap grocery stores for workers and their families.

f) The Social Security System shall provide to workers inexpensive housing for rent or sale, in accordance with previously approved programs. Additionally, the State shall create a national housing fund and shall make contributions to it. Such fund shall provide the workers with inexpensive loans, sufficient to acquire a comfortable and hygienic house, or to build, renovate or improve their home or to pay loans used to buy a house.

Contributions made to the national housing fund shall be notified to the Social Security Institute. The law of such Institute, as well as the other applicable laws, shall regulate the administration of the national housing fund and shall establish procedures to grant loans to workers.

XII. Individual, collective and inter-union conflicts shall be submitted to a federal court for conciliation and arbitration, which shall be organized as provided in the statutory law.

Disputes between the federal judicial branch and its employees shall be settled by the Federal Judicial Council. Disputes arising between the Supreme Court of Justice and its employees shall be resolved by the first one.

(Reformed through a decree published on June 18, 2008)

XIII. Military and naval personnel, Foreign Service personnel, public prosecutors, legal experts and members of the public security corps, shall be governed by their own laws.

Public prosecutors, legal experts and members of the police forces belonging to the Federation, the Federal District, the states and the local councils, can be dismissed if they do not meet the requirements established by law or due to corruption. If the jurisdictional authority determines that dismissal, redundancy or any other form of termination is not justified, the State shall be obliged only to pay to the employee the compensation and other benefits established by law, but this shall not mean to bring the employee back to service, regardless the ruling pronounced in the trial.

The federal, state and local authorities, as well as the Federal District Government, shall implement complementary social security systems to strengthen social security for the employees of the Public Prosecution System, of the police forces and of the legal services, as well as for their families.

The State shall provide active members of the Army, Air Force and Navy with the benefits mentioned in the paragraph "f" of section XI of this part, through the body created for this purpose in such institutions.

XIII bis. The Central Bank and all the organs belonging to the Mexican banking system shall follow the provisions established in this part regarding labor relations between them and their employees.

XIV. The law shall determine what positions are to be considered as trusted positions. Persons who hold such positions shall be entitled to the social security and protection of wages.

## TITLE SEVEN

### General considerations

#### Article 124

The powers not expressly granted by this Constitution to federal officials, shall be understood to be reserved to the states.

#### Article 125

No person may hold two elective offices at the same time, nor one federal and one state elective office; but an elected candidate may choose which of the two he desires to hold.

#### Article 126

No payment may be made if it is not included in the budget or provided for by a subsequent law.

(Reformed through a decree published on August 24, 2009)

#### Article 127

Employees of the Federal Government, the state governments, the Federal District Government and the City Councils, as well as the employees of any governmental agency, semipublic companies, public trusts, autonomous bodies and of any other public entity, shall receive an adequate remuneration for their work, which shall be proportional to the liabilities.

This remuneration shall be non-negotiable and shall be fixed annually in the expenditure budgets of each organ in accord with the following bases:

I. Remuneration is any payment made in cash or in kind, including expenses, Christmas bonus, bonus, rewards, incentives, commissions, compensations and any other payment, except for expenses allowance that must be supported by receipts and invoices and for labor costs for traveling in official activities.

II. No public servant can have a salary higher than the President of the Republic's salary.

III. No public servant can have a salary equal or higher than his/her superior's salary, except when the exceeding part is due to the performance of several public duties or to the characteristics of the job, like a specialized technical job or a very specialized function. The

addition of such remunerations shall not exceed a half of the President of the Republic's remuneration.

IV. Only pensions, payments, loans and credits established by law, a decree, a labor contract or labor covenant shall be granted. Such benefits are not part of the remuneration. Social security services are excluded.

V. Public servants remunerations and detailed tables shall be public information, such information shall specify every fixed and variable element, including payments in cash and in kind.

VI. The Congress of the Union, the state legislatures and the Federal District Assembly of Representatives, within the scope of their powers, shall enact the laws necessary to enforce the provisions included in this article and all related constitutional provisions. They shall also establish criminal and administrative penalties to be applicable to public servants that circumvent this article.

#### Article 128

Every public official, without exception, before taking office, shall swear allegiance to the Constitution and to the laws emanating thereof.

#### Article 129

No military authority may, during peacetime, perform any functions other than those directly related to military affairs. There shall be fixed and permanent military command headquarters only in the castles, forts and warehouses immediately subordinate to the Federal Government, or in the camps, barracks or dumps established outside towns for the troops by the Federal Government.

#### Article 130

The historic principle of separation of the State and the churches guides the provisions established in this article. Churches and any other religious groups shall observe the law.

Only the Congress of the Union can legislate on matters of public worship, churches and religious groups. The respective public statutory law shall develop and detail the following provisions:

a) Churches and religious groups shall have legal status after registration. The law shall regulate the religious associations and shall establish the requirements to get registration.

- b) The government shall not intervene in the internal affairs of the religious associations.
- c) Mexicans can become ministers of any religious denomination. For this purpose, Mexicans and foreigners must meet the requirements established by law.
- d) Religious ministers cannot hold public offices, according to the statutory law. As citizens, religious ministers have the right to vote, but they do not have the right to be elected. Those who have ceased being church ministers in anticipation of running and in the form established by law, may be elected.
- e) Church ministers cannot join together for political purposes nor proselytize in favor of certain candidate, party or political association or against them. Neither may they oppose the laws of the Nation or its institutions, nor insult patriotic symbols in any form, in public meetings, in worship or in religious literature.

The formation of any kind of political group with a name containing any word or other symbol related to any religion is strictly prohibited. No meeting of a political character may be held in churches or temples.

The simple promise of truthfulness and fulfillment, subjects the person to the penalties established by law in the event of failing to fulfill them.

Church ministers, their antecedents, children, brothers, sisters and spouses, as well as their religious associations, cannot inherit by will from their followers, who do not have a family relationship of up to fourth grade.

Acts of marital status pertain only to the administrative authorities under the terms established by law. The law shall define the effect and validity for the marital status acts.

The law shall confer powers and duties on civil matters to the federal, state and local authorities.

#### Article 131

Only the Federal Government can tax imports and exports, and merchandises that pass in transit through the national territory, as well as to regulate at all times, and even to prohibit, for security reasons, the circulation of merchandises across the country, regardless of their origin. However, the Federal Government cannot establish or enact, in the Federal District, those taxes and laws mentioned in sections VI and VII of the Article 117.

The President of the Republic can be empowered by the Congress of the Union to: increase, decrease, or abolish tariff rates on imports and exports, that were imposed by the Congress;



to establish new tariff rates; to restrict and to prohibit the importation, exportation or transit of products, articles and goods in order to regulate foreign trade, the economy of the country, the stability of domestic production, or for accomplishing any other purpose to the benefit of the country. The President of the Republic shall send to the Congress, together with the annual budget, a report about the way he has exercised this power.

#### Article 132

The forts, barracks, warehouses and other buildings used by the Federal Government to provide public services or for public use, shall be subject to the jurisdiction of the federal powers in accordance with the law enacted by the Congress of the Union. However, if the Federal Government acquires properties in the future within the territory of any state, in order to put such property under federal jurisdiction, the consent of the respective legislature shall be necessary.

#### Article 133

This Constitution, the laws derived from the and enacted by the Congress of the Union, and all the treaties made and execute by the President of the Republic, with the approval of the Senate, shall be the supreme law of the country. The judges of each state shall observe the Constitution, the laws derived from it and the treaties, despite any contradictory provision that may appear in the constitutions or laws of the states.

(First paragraph was reformed through a decree published on May 7, 2008)

#### Article 134

Economic resources available for the federal, state and local governments, for the Federal District, and for the political-administrative bodies belonging to them, shall be managed with efficiency, effectiveness, savings, openness and honesty in order to achieve the objectives for which they are intended.

(Added through a decree published on May 7, 2008)

The results of the use of such resources shall be assessed by the agencies created by the federal, state and local governments in order to guarantee that such resources are distributed in the appropriate budgets observing the principles stated in the previous paragraph, without prejudice to that established in the articles 74, section VI, and 79.

All contracts made by the authorities and entities mentioned before on acquisitions, renting, transfers, provision of services and works shall be awarded by open tender, where qualified bidders submit their sealed bids. These sealed bids are opened in public for scrutiny in order

to assess their offers about price, quality, financing, opportunity and other appropriate conditions.

When tender is not appropriate to guarantee the conditions mentioned in the previous paragraph, the law shall establish the bases, procedures, regulations, requirements and other conditions necessary to prove the good price, effectiveness, efficiency, impartiality and honesty of the process for the benefit of the state.

(Reformed through a decree published on May 7, 2008)

Management of federal economic resources by state governments, local governments, the Federal District Government and their political-administrative bodies shall be carried out observing the bases established in this article and the applicable statutory laws. Revision of the use of such resources shall be made by the specialized state agencies mentioned in the second paragraph of this article.

Public servants shall be accountable, according to the terms stated in the Title Four of this Constitution, for any violation committed against the provisions established in this article.

(Added through a decree published on November 13, 2007)

The public servants working in the federal, state and local governments, as well as the Federal District public servants are always obliged to impartially invest the public resources under their management and not to affect the equity of the competition between political parties.

(Added through a decree published on November 13, 2007)

Propaganda disseminated through any media by the government, the autonomous bodies, the government agencies or any other entity belonging to any of the three levels of government, shall be institutional and shall bring information, education or guiding. Such propaganda cannot include names, images, voices or symbols which imply the promotion of a public servant.

(Added through a decree published on November 13, 2007)

The laws shall, within their field, guarantee enforcement of the two previous paragraphs and shall define penalties to be applied to offenders.

## **TITLE EIGHT**

Constitutional reforms

## Article 135

Additions and amendments may be done to this Constitution, but to become a part of it, such additions and amendments must be agreed by the Congress of the Union, by the vote of two-thirds of the members present, and must be approved by the majority of the state legislatures.

The Congress of the Union or the Permanent Committee, as appropriate, shall count the votes of the legislatures and shall announce those additions or amendments that have been approved.

## TITLE NINE

### The inviolability of the Constitution

Article 136. This Constitution shall not lose force and effect, even if its observance is interrupted by a rebellion. In the event that a government, whose principles are contrary to those that are sanctioned herein, is established through any public disturbance, as soon as the people recover their liberty, its observance shall be reestablished, and those who have taken part in the government emanating from the rebellion, as well as those who have cooperated with such persons, shall be judged in accordance with this Constitution and the laws derived from it.

## TRANSITORY ARTICLES

First Article.-This Constitution shall be published at once and, with the greatest solemnity, an oath of allegiance to the Constitution must be taken in order to uphold it throughout the Republic; except for the provisions relating to the election of the supreme federal and state powers, which shall enter into force at once. This Constitution will come into force the first day of May 1917. In such date, the Constitutional Congress shall be formally installed, and the citizen elected as the President of the Republic in the next elections shall swear an oath to exercise the office.

In the elections that must be called in accordance with the following article, section V of the Article 82 shall not apply, and to be in active service in the Army shall not be an impediment to become a representative or senator, provided that such service is not command of forces in the electoral district in question. In the same way, Secretaries and under-Secretaries can be elected for the next Congress of the Union, provided that they definitely resigns their position on the day that the respective call is issued.

Second Article. As soon as this Constitution is published, the President of the Republic shall call for elections for the federal powers, endeavoring to do this in such a way that the Congress shall be organized promptly, since it must declare the winner of the elections for

the Presidency, after the count of the votes casted, so that the provisions of the preceding article could be complied.

Third Article. The next constitutional term for representatives and senators shall begin to run on September first of last year, and for the President of the Republic from December 1, 1916.

Fourth Article. Senators bearing even numbers at the next election shall hold office for two years only, in order to change the half of the Senate every two years.

Fifth Article. The Congress of the Union shall elect the magistrates of the Supreme Court of Justice of the Nation next May in order to have the Court installed by June first.

At this election, the Article 96 shall not govern with respect to the proposals of candidates by the local legislatures. However, the elected candidates shall hold office only for the first two-year term established in the Article 94.

Sixth Article. The Congress of the Union shall have an extraordinary period of session, which will begin on April 15, 1917. In such period, the Congress shall become an electoral college to count the votes, approve the election for the President of the Republic and declare the winner. In this same extraordinary period of sessions, the Congress shall enact the Organic Law for the circuit and district courts and the Organic Law for the Federal District courts, so that the Supreme Court of Justice of the Nation may immediately appoint the circuit magistrates and district judges. In addition, the Congress of the Union shall appoint the judges of first instance for the Federal District and shall enact all laws requested by the President of the Republic. The circuit magistrates, the district judges and the magistrates and judges of the Federal District must assume office before July 1, 1917, at which time those persons who had been appointed by the current President of the Republic shall resign.

Seventh Article. This time only, a counting board must be created for each electoral district. The counting board of the first electoral district in each states and the Federal District shall count the votes for Senators, and these boards shall issue the majority certificate to the senators elected.

Eighth Article. The Supreme Court of Justice of the Nation shall settle the pending Amparo trials, observing the current laws.

Ninth Article. The President of the Republic is empowered to enact the Electoral Law, under which, this time the elections shall be held to create the Powers of the Union.

Tenth Article. Persons who have taken part in the government formed by the rebellion against the legitimate Government of the Republic, or those who cooperated with it,

afterwards combating with arms or holding office or employment with the factions that attacked the Constitutional Government, shall be tried under laws in force, unless they have been pardoned by the Constitutional Government.

Eleventh Article. Until the Congress of the Union and the state legislatures enact laws governing the agrarian and labor affairs, the bases established in this Constitution for such affairs shall take effect throughout the country.

Twelfth Article. Mexicans who have fought in the Constitutional Army, and their children and widows, as well as other persons who rendered services to the Revolution or to public education, shall have priority to acquire land according to the Article 27 and shall have the right to discounts specified by law.

Thirteenth Article. All debts contracted by workers, by reason of their labor, until the date of this Constitution, with employers, their families, or intermediaries are hereby extinguished in full.

Fourteenth Article. The Secretariat of Justice is hereby abolished.

Fifth Article. Hereby, the President of the Republic is empowered to issue the tort law applicable to the offenders, accomplices and accessories to the crimes perpetrated against the constitutional order during the month of February 1913 and against the Constitutional Government.

Sixteenth Article. The Constitutional Congress, in the next ordinary period of sessions starting on September 1 this year, shall enact all organic laws of this Constitution that have not already been enacted in the extraordinary period of sessions mentioned in the sixth transitory article. The Congress shall give priority to laws related to fundamental rights and to the Articles 30, 32, 33, 35, 36, 38, 107 and the last part of the Article 111 of this Constitution.

Seventeen Article. Churches, temples and other properties belonging to the Federal Government, based on the provisions established in the section II of the Article 27 of this Constitution, which is reformed through this decree, shall maintain their current legal status.

This Constitution has been issued in the Congress Chamber in Queretaro on January 31, 1917.

Transitory articles of the reform acts made to this Constitution

1. TRANSITORY ARTICLES of the Reform Act issued on April 4, 1990 and published in the Official Gazette of the Federation on April 6, 1990, which makes reforms and additions to

the Article 5, 35 section III, 36 section I, 41, 54, 60 and 73 section VI, third base, and through which the transitory Article 17, 18 and 19 are repealed.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Until there is a national citizen register, Mexicans shall register themselves in the electoral roll.

Third Article.- Representatives elected for the LIV Legislature of the Congress of the Union shall hold office until October 31, 1991.

Fourth Article.- Senators elected for the LIV Legislature for a three years term, shall hold office until October 31, 1991. Senators elected for the LIV and LV Legislatures for a six years term, shall hold office until October 31, 1994.

Fifth Article.- Permanent Committee is composed of 37 members in accordance with the Article 78 of this Constitution starting from the first recess of the LIV Legislature of the Congress of the Union.

Sixth Article.- Until a new electoral statutory law is enacted by the Congress of the Union, the Federal Electoral Code shall be in force.

2. TRANSITORY ARTICLES of the Reform Act issued on June 26, 1990 and published in the Official Gazette of the Federation on June 27, 1990, which repeals the fifth paragraph of the Article 28, modifies and adds the paragraph "a" of the section XXXI of the part A of the Article 123, and reforms section XIII bis of the part B, same article, of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Until new regulations are issued, banking and credit institutions, as well as branches belonging to foreign banks, which have license to operate in Mexico, shall be governed by the legal provisions and regulations currently in force.

3. TRANSITORY ARTICLES of the Reform Act issued on January 3, 1992 and published in the Official Gazette of the Federation on January 6, 1992, which reforms the Article 27 of this Constitution as follows: third paragraph and sections IV, VI first paragraph, VII, XV and XVII are amended; second and third paragraphs of the section XIX are added; and sections X to XIV and XVI are repealed.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Since the enactment of this decree, and until the agriculture law is amended, its provisions shall remain in force, including those relating to the responsible authorities and agencies and those related to the internal organization of farm cooperatives and indigenous communities, provided that they do not oppose this decree.

Third Article.- The Department of the Agrarian Reform, the Agrarian Advisory Body, the mixed agrarian commissions and the other agrarian authorities shall continue settling the affairs that have been already initiated on: a) land extension and grant of land, forests and waters; b) creation of new communities; and c) return, recognition and title deeds about common property; according to the legal provisions currently in force.

Pending files shall be turned to the agrarian courts, upon taking office, in order to pronounce a definitive ruling in accord with their organic law and the previous paragraph.

The rest of the files, as well as the new cases arising after publication of this decree and related to agrarian affairs, shall be turned to the agrarian courts, upon taking office.

4. TRANSITORY ARTICLES of the Reform Act issued on January 27, 1992 and published in the Official Gazette of the Federation on January 28, 1992, through which the complete Article 102 of this Constitution becomes into part "A" of such article and a new part "B" is added.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Until the state human rights commissions are created, the National Human Right Commission must resolve all the complaints.

Within the 30 days after publication of this decree, the National Human Rights Commission shall send the corresponding pending cases to the states human rights commissions that have been already created.

The congresses of the states have one year term, starting from the date this decree has been published, to create the state human rights commissions.

5. TRANSITORY ARTICLE of the Reform Act issued on January 22, 1992 and published in the Official Gazette of the Federation on January 28, 1992, which adds the first paragraph to the Article 4 of this Constitution, so the rest of the paragraphs have been moved in order.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

6. TRANSITORY ARTICLE of the Reform Act issued on January 22, 1992 and published in the Official Gazette of the Federation on January 28, 1992, which reforms the Article 3 in the following way: section IV is repealed, section I is amended and becomes into sections I and II, sections II and III are moved to third and fourth positions, respectively, and section IV is amended. In addition, the fifth paragraph of the Article 5 is amended; the Article 24 is amended; sections II and III of the Article 27 are amended; the Article 130 is amended, except for the fourth paragraph; and the seventeenth transitory article is added.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

7. TRANSITORY ARTICLE of the Reform Act issued on March 3, 1993 and published in the Official Gazette of the Federation on March 5, 1993, which reforms the Articles 3 and 31, section I, of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

8. TRANSITORY ARTICLE of the Reform Act issued on August 18, 1993 and published in the Official Gazette of the Federation on August 20, 1993, which adds section III to the Article 82 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

9. TRANSITORY ARTICLES of the Reform Act issued on August 18, 1993 and published in the Official Gazette of the Federation on August 20, 1993, which reforms the Article 28, 73 and 123 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Until the law for the Central Bank is enacted, derived from the Article 28 of this Constitution, the Organic Law of the Banco de México shall remain in force.

10. TRANSITORY ARTICLES of the Reform Act issued on September 2, 1993 and published in the Official Gazette of the Federation on September 3, 1993, which reforms the Article 65 and 66 of this Constitution.



First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- The ordinary period of sessions corresponding to November and December, 1993, and the ordinary periods corresponding to 1994, shall be carried out according to the dates that have been governed and observing the provisions established by the Reform Act published on April 7, 1986.

Third Article.- Starting from March 15, 1995, ordinary periods of sessions shall be carried out according to the dates established in this Reform Act.

Fourth Article.- Representatives elected for the LVI Legislature of the Congress of the Union, shall hold office from November 1, 1994 to August 3, 1997.

Fifth Article.- Senators elected for the LVI and LVII Legislatures of the Congress of the Union shall hold office from November 1, 1994 to August 3, 2000.

Senators elected in 1997 shall hold the office from November 1, 1997 to August 31, 2000.

11. TRANSITORY ARTICLES of the Reform Act issued on September 2, 1993 and published in the Official Gazette of the Federation on September 3, 1993, which reforms the Article 41, 54, 56, 60, 63, 74 and 100 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Current magistrates of the Federal Electoral Court, appointed by the House of Representatives, shall hold the office for a term indicated in the Reform Act published in the Official Gazette of the Federation on October 3, 1990.

Third Article.- In the federal election that will be carried out in 1994, from each state and the Federal District, two senators shall be elected by the principle of majority and one senator shall be appointed by the principle of largest minority for the LVI and LVII Legislatures of the Congress of the Union. These senators shall hold office from November 1, 1994, to the end of the term corresponding to the LVII Legislature. For this election, the parties must register two sets of candidates for each state and the Federal District.

In the federal election that will be carried out in 1997, from each state and the Federal District, one senator shall be elected by the principle of majority for the LVII Legislature. These senators shall hold office from November 1, 1997, to the end of the term corresponding to the LVII Legislature. For this election, the parties must register one set of candidates for each state and the Federal District.

Fourth Article. Federal Representatives of the LVI Legislature shall hold office from November 1, 1994 to the end of the term of said legislature.

Fifth Article.- Federal election for the LVI Legislature of the House of Representatives shall be carried out based on the distribution of uninominal districts and the five plurinominal districts created for the 1991 elections. For the federal election that will be carried out in 1997 for the LVII Legislature, a new distribution of uninominal districts shall be done, based on the 1990 census.

Sixth Article.- All provisions opposing the reforms established in this Reform Act are repealed.

12. TRANSITORY ARTICLES of the Reform Act issued on September 2, 1993 and published in the Official Gazette of the Federation on September 3, 1993, which reforms the Article 16, 19, 20 and 119 of this Constitution, and the section XVIII of the Article 107 is repealed.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation, except for that established in the Second Transitory Article.

Second Article.- The provision stated in the first paragraph of the section I of the Article 20, indicated in this Reform Act, shall come into force one year after publication.

13. TRANSITORY ARTICLES of the Reform Act issued on October 20, 1993 and published in the Official Gazette of the Federation on October 25, 1993, which reforms the Article 31, 44, 73, 74, 79, 89, 104, 105, 107, 122; In addition, the name of the Title Five is changed, the section IX is added to the Article 76, the first paragraph is added to the Article 119, and the section XVII of the Article 89 is repealed.

First Article.- This decree shall come into force 30 days after its publication in the Official Gazette of the Federation, except for that established in the following transitory articles.

Second Article.- The Federal District Assembly of Representatives, elected for the period November 1991 to November 1994, shall have the same powers indicated in section VI of the Article 73 of this Constitution upon this Reform Act comes into force.

Third Article.- The Third Federal District Assembly of Representatives shall have the powers conferred by this Reform Act. This Assembly shall work from November 15, 1994 to September 16, 1997.

Fourth Article.- Starting from March 15, 1995, ordinary periods of sessions of the Federal District Assembly shall be carried out according to the dates indicated in this Reform Act.

Fifth Article.- First appointment for the Head of the Federal District Government, according to this Reform Act, shall be done on December 1997, and he must hold office until December 2, 2000.

Until the Head of the Federal District Government takes up office, the Federal District Government shall be the President of the Republic's responsibility, in accordance with the Article 73, section VI, first base of this Constitution. The President of the Republic shall keep the power to freely appoint and dismiss the Head of the Federal District Government and the heads of the other Federal District Government agencies. Hereafter, the President of the Republic shall keep the powers established in the section I of the Article 89 of this Constitution.

Sixth Article.- Citizen councils per district shall be elected and formed in 1995, according to the Government Code and the applicable laws.

Seventh Article.- Public servants that go back to work for the new Federal District Government and its agencies shall keep all their labor rights.

Eight Article.- The proposals for revenue laws and expenditure budgets for the Federal District corresponding to the years 1995, 1996 and 1997, as well as the public accounts corresponding to 1995 and 1996, shall be submitted by the President of the Republic to the Federal District Assembly of Representatives. The 1994 public account shall be reviewed by the House of Representatives.

Ninth Article.- Until new provisions are issued to coordinate the fiscal system between the Federal Government and the Federal District Government, the current regulations on the matter shall be applied.

Tenth Article.- Until new regulations are enacted for the Federal District, the current legal provisions and regulations will continue in force.

Eleventh Article.- The Congress of the Union shall keep the power to enact laws on common, civil and criminal matters for the Federal District, until the new federal regulations are issued. After that, the Assembly of Representatives will legislate on such matters, in accord with this Reform Act.

14. TRANSITORY ARTICLE of the Reform Act issued on April 15, 1994 and published in the Official Gazette of the Federation on April 19, 1994, which reforms the eighth, ninth, seventeenth and eighteenth paragraphs of the Article 41 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

15. TRANSITORY ARTICLE of the Reform Act issued on June 28, 1994 and published in the Official Gazette of the Federation on July 1, 1994, which reforms the section I of the Article 82 of this Constitution.

Only Article.- This decree shall come into force on December 31, 1999.

16. TRANSITORY ARTICLES of the Reform Act issued on December 30, 1994 and published in the Official Gazette of the Federation on December 31, 1994, which adds three paragraphs to the Article 21; reforms the section V of the Article 55; re-establishes the section XXIII of the Article 73; amends sections II and VIII of the Article 76; amends sections II and V of the Article 79; amends sections II, IX, XVI and XVIII of the Article 89; amends second paragraph of the Article 93; amends first, second, fifth, sixth, eighth, and ninth paragraphs and add the tenth paragraph of the Article 94; amends sections II, III and V of the Article 95 and adds the section VI and the last paragraph to such article; reforms the Article 96; reforms the Article 97; reforms the Article 98; amends the Article 99; amends the Article 100; reforms the Article 101; amends the first, third and fifth paragraphs of the Article 102, part "A", and adds the last paragraph to such article; reforms sections II and III of the Article 103; amends section IV of the Article 104; reforms the Article 105; amends the Article 106; reforms sections V last paragraph, VIII first and penultimate paragraphs, XI, XII first and second paragraphs, XIII first paragraph, and XVI of the Article 107; amends paragraph third of the Article 108; amends first and second paragraphs of the Article 110; reforms first and fifth paragraphs of the Article 111; reforms section III, third paragraph, of the Article 116 and the fifth paragraph of said article is repealed, therefore the order of the paragraphs is changed; reforms and adds section VII of the Article 122; and reforms section XII, second paragraph, of the part "B" of the Article 123 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation, except for that established in the eighth and ninth transitory articles below.

Second Article.- Current ministers of the Supreme Court of Justice of the Nation shall conclude their term when this Reform Act comes into force. They will receive a pension equal to the amount established in the "Act that establishes the causes for compulsory or voluntary retirement of ministers of the Supreme Court of Justice of the Nation".

Impediments stated in the last paragraph of the Article 94 and the third paragraph of the Article 101, reformed by this Reform Act, shall not be applicable to the ministers mentioned in the previous paragraph.

In the event that ministers go back to work in the Supreme Court, according to the procedure established in the amended Article 96, the right granted in the first paragraph shall be suspended during the time they hold office.

Third Article.- In order to appoint the first ministers for the Supreme Court of Justice in accord with the amendments done by this Reform Act, the President of the Republic shall submit a list of 18 candidates to the Senate, which will approve 11 ministers from such list through the vote of two-thirds of the members.

Fourth Article.- In order to comply with the provisions established in the first paragraph of the Article 97 of this Reform Act, the law that regulates selection, entry, promotion and dismissal of the Federal Judiciary's employees shall specify which cases are to be processed according to sections I, II and III of the Article 109 of this Constitution.

The Senate must hear the candidates and pronounce its resolution within 30 calendar days, this term is not extendable.

Term during which ministers shall hold office will end on November 30 every three years, 2003, 2006, 2009 and 2012 for every two ministers, and will end on November 30, 2015 for the last three ministers. While approving appointments, the Senate shall indicate the term for each minister.

Once at least seven ministers have been appointed, a solemn session must be carried out for opening, where the President of the Supreme Court shall be appointed.

Fifth Article.- The first circuit magistrates and district judges selected to conform the Federal Judicial Council shall hold office until November 30, 2001. One councilor appointed by the Senate and the councilor appointed by the President of the Republic shall hold office until November 30, 1999, the remaining councilor shall hold office until November 30, 1997. The Senate and the President of the Republic shall appoint the respective councilors within 30 days after that this Reform Act has come into force. The Senate shall indicate the term for each of its councilors.

The Federal Judicial Council shall be opened once five councilors have been appointed, provided that one of them is elected as the chairman.

Sixth Article.- Until the Supreme Court of Justice of the Nation and the Federal Judicial Council are opened in accord with the third and fifth transitory articles above, the last commission and management of the Supreme Court shall perform their duties and manage the administrative affairs of the Federal Judiciary. Therefore, the second transitory article shall apply to the members of said commission.

The said commission must call to the solemn session mentioned in the third transitory article and must take the necessary measures to assure that the first circuit magistrates and district judges for the Federal Judicial Council are elected in a few days after this Reform Act comes into force.

After opening, the said commission will no longer work and must give a report on the affairs mentioned in the previous paragraphs to the Supreme Court or to the Federal Judicial Council, as applicable.

Seventh Article.- The magistrate, the judge of first instance and the Justice of the Peace appointed to be the first councilors in the Federal District Judicial Council shall hold office until November 30, 2001. One of the councilors appointed by the Federal District Assembly of Representatives and the councilor appointed by the Head of the Federal District Government shall hold office until November 30, 1999. The remaining councilor shall hold office until November 30, 1997. The Assembly of Representatives and the Head of the Federal District Government must appoint their councilors within the 30 calendar days period after this Reform Act comes into force, they shall indicate the period for each of their councilors.

Once five councilors have been appointed, the Federal District Judicial Council must be opened.

The plenary meeting of the Supreme Court of Justice shall manage the administrative affairs until the Federal District Judicial Council is opened and shall take the necessary measures to assure that the magistrate and the judge of first instance are elected in a few days after this Reform Act comes into force.

Eighth Article.- Amendments done to the Article 105 shall come into force the same day the appropriate statutory law comes into force.

Ninth Article.- Affairs mentioned in the reformed articles shall continue their process according to the new provisions.

Amendments done to the section XVI of the Article 107 shall come into force the same day when amendments to the statutory law of the Articles 103 and 107 come into force.

Tenth Article.- Labor conflicts, between the federal judicial branch and its employees, filed before this Reform Act, shall continue their process in accordance with the new provisions.

Eleventh Article.- Until the new legal provisions, regulations and general covenants related to the amended articles are issued, the current provisions, regulations and covenant shall remain in force, provided that they do not oppose the new ones.

Twelfth Article.- Labor rights of the public servants belonging to the Federal Judiciary must be completely observed.

17. TRANSITORY ARTICLE of the Reform Act issued on February 27, 1995 and published in the Official Gazette of the Federation on March 2, 1995, which reforms the fourth paragraph of the Article 28 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

18. TRANSITORY ARTICLE of the Reform Act issued on June 26, 1996 and published in the Official Gazette of the Federation on July 3, 1996, which reforms the Articles 16, 20 section I and penultimate paragraph, 21, 22 and 73 section XXI of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

19. TRANSITORY ARTICLES of the Reform Act issued on August 21, 1996 and published in the Official Gazette of the Federation on August 22, 1996, which reforms the section III of the Article 35; section III of the Article 36; Article 41 from the second to the last paragraphs, Article 54 from the section II ahead; Article 56; second and third paragraphs of the Article 60; section I of the Article 74; first, fourth and eighth paragraphs of the Article 94; Article 99; first and second paragraphs of the Article 101; the head and third paragraph of the section II of the Article 105, therefore the third paragraph moves to the fifth position; the first paragraph of the Article 108; first paragraph of the Article 110; first paragraph of the Article 111; third paragraph of section II of the Article 116; and the Article 122. In addition a third and fourth paragraphs are added to the Article 98; also the point "f" and the third and fourth paragraphs are added to the section II of the Article 105; and the section IV is added to the Article 116. Therefore, the sections IV, V and VI are moved to the sections V, VI and VII. Section VI of the Article 73 is repealed; as well as the second paragraph of the third transitory article of the Reform Act issued on September 2, 1993 and published in the Official Gazette of the Federation on September 3, 1993, which reforms the Articles 41, 54, 56, 60, 63, 74 and 100 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation, except for that established in the following transitory articles.

Second Article.- Additions made to the section II of the Article 105 of this Reform Act, related to the state electoral laws shall come into force on January 1, 1997, since according to their electoral calendars, elections must be carried out before April 1, 1997.

Only for this time, the term indicated in the fourth paragraph of the section II of the Article 105 shall not be applicable for the federal and local electoral laws issued before April 1997.

Appeals that raise a contradiction between a general electoral rule and the Constitution, according to the Article 105, section II, and this Reform Act and filed before April 1, 1997, shall be subject to the following special provisions:

- a) The term mentioned in the Article 105, section II, second paragraph, shall be equal to 15 calendar days.
- b) The Supreme Court of Justice shall resolve the case in a term no longer than 15 business days, after filing of the initial document.

Amendments done to the Article 116 by this Reform Act shall not be applicable in the states where electoral campaigns have begun or begin before January 1, 1997. This states, shall have one year after conclusion of elections to adapt their electoral laws to this Reform Act.

The rest of the states shall adapt their electoral laws to that established in the Article 116 within a six months term after this Reform Act comes into force.

Third Article.- On October 31, 1996 at the latest, the President Councilor and the Executive Secretary of the General Council of the Federal Electoral Institute must be appointed, as well as the eight new electoral councilors and their substitutes. The current councilors cannot be reelected. Until the new appointments are done and the law is reformed, the General Council of the Federal Electoral Institute shall perform the same duties currently established in the Federal Code of Electoral Institutions and Procedures.

Forth Article.- In the federal election that is to be carried out in 1997, 32 senators shall be elected for the LVII Legislature according to the principle of proportional representation, where the lists of candidates shall be voted in one single plurinominal district. These senators shall hold office from November 1, 1997 to the end of the LVII Legislature. Appointment must be carried out according to the formula that takes into account the natural quotient and the higher remainder, and following the decreasing order of the lists. This reform Act repeals the second paragraph of the third transitory article of the Reform Act issued on September 2, 1993 and published in the Official Gazette of the Federation on September 3, 1993, which reforms the Articles 41, 54, 56, 60, 63, 74 and 100 of the Political Constitution of the United Mexican States.

Fifth Article.- The new electoral magistrates shall be appointed at the latest on October 31, 1996. Only for this time, the vote of the three quarters of the members present in the Senate is required.



Sixth Article.- Until the respective laws are reformed or issued, the Federal Electoral Court must perform the duties currently stated in the Federal Code of Electoral Institutions and Procedures.

Seventh Article.- The Head of the Federal District Government shall be elected in 1997, and for this only time, he will hold office until December 4, 2000.

Eight Article.- The norm that establishes the power to issue provisions that regulate elections in the Federal District shall come into force on January 1, 1998. Such norm is established in the Article 122 of this Reform Act, part "C", section V, paragraph "f". However, the Federal Code of Electoral Institutions and Procedures shall be applied in the 1997 elections for Head of the Federal District Government and members of the Assembly of Representatives.

Ninth Article.- The requirement stated in the Article 122, part "C", SECOND BASE, section I, second paragraph, which prohibits a citizen who performed the duties of an office similar to the Head of the Federal District Government to become the holder of such office, applies to every citizen that has held a similar office, regardless the name of such position.

Tenth Article.- The provisions established in the Article 122, part "C", THIRD BASE, section II, regarding appointment of the heads of the political administrative organs for the Federal District, shall come into force on January 1, 2000. Meanwhile, in 1997, these public servants shall be appointed through an indirect way according to the law.

Eleventh Article.- The provision that grants the Federal District Assembly of Representatives the power to enact laws on civil and criminal matters for the Federal District shall come into force on January 1, 1999.

Twelfth Article.- Federal Government shall keep the properties and goods located in the Federal District that are used for provision of federal services.

Thirteenth Article.- All current regulations applicable to the Federal District government agencies shall remain in force until the new ones are issued by the responsible organs according to the bases established in this Reform Act.

20. TRANSITORY ARTICLES of the Reform Act issued on March 5, 1997 and published in the Official Gazette of the Federation on March 20, 1997, which reforms the Articles 30, 32 and 37 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Those who have lost their Mexican nationality by birth due to the voluntary acquisition of a foreign nationality, provided that they are in full enjoyment of their rights, can benefit from that established in the Article 37, part “A”, of this Constitution by submitting their application to the Department of Foreign Affairs.

(Modified through a reform act published on March 20, 1997, which reforms the second transitory article corresponding to the Articles 30, 32 and 37 of the Political Constitution of the United Mexican States)

Third Article.- Current provisions about Mexican nationality, issued before this Reform Act comes into force, shall remain in force for that persons who were born or conceived during their effect.

Fourth Article.- Until the Congress of the Union enacts the provisions related to nationality, the current law shall apply when it does not oppose this Reform Act.

Fifth Article.- The last paragraph of the part “C” of the Article 37 shall come into force on the day following its publication in the Official Gazette of the Federation.

21. TRANSITORY ARTICLE of the Reform Act issued on February 3, 1999 and published in the Official Gazette of the Federation on February 26, 1999, which reforms the third transitory article of the Reform Act\* that amended the Articles 30, 32 and 37 of this Constitution, published in the Official Gazette of the Federation on March 20, 1997.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

\*The new text of such article is as follows:

### THIRD ARTICLE

“Current provisions about Mexican nationality, issued before this Reform Act comes into force, shall remain in force for that persons who were born or conceived during their effect, but only where such provisions favor the persons, without prejudice to the benefits granted by this Reform Act.

22. TRANSITORY ARTICLE of the Reform Act issued on February 3, 1999 and published in the Official Gazette of the Federation on March 8, 1999, which reforms the second paragraph of the Article 16; amends the first paragraph and adds a second paragraph to the Article 19, so that the two subsequent paragraphs have been moved to the third and fourth positions; adds a third paragraph to the Article 22, so the subsequent paragraph has been moved to the

fourth position; reforms the first paragraph and adds a third paragraph to the section XIII of the part B of the Article 123 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

23. TRANSITORY ARTICLES of the Reform Act issued on June 9, 1999 and published in the Official Gazette of the Federation on June 11, 1999, which reforms the Articles 94, first and sixth paragraphs; 97, last paragraph; 100, first, second, third, fifth, seventh, eighth and ninth paragraphs; and 107, section IX. In addition, a second paragraph is added to the Article 94, therefore paragraphs second to tenth have been moved to the third to eleventh positions; and a third paragraph is added to the Article 100, so the third to ninth paragraphs are moved to the fourth to tenth positions, all these articles belongs to the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Current councilors serving in the Federal Judicial Council shall conclude their term upon this Reform Act comes into force, except by the President Councilor.

The Supreme Court of Justice, in plenary meeting, the Senate and the President of the Republic shall appoint the councilors for the Federal Judicial Council within the 30 calendar days after this decree comes into force, in accordance with the Article 100 as amended.

For this only time, councilor appointed by the Supreme Court of Justice shall hold office until November 30, 2002, 2004 and 2006. Councilor appointed by the Senate shall hold office until November 30, 2003 and 2007. The councilor appointed by the President of the Republic shall hold office until November 30, 2005. While appointing councilors, their term shall be specified.

Third Article.- Until the Federal Judicial Council is opened, a temporary commission shall perform its duties, which shall be composed of the President Councilor and the officials directly reporting to the Council. Such commission shall process and resolve urgent administrative affairs, except for appointment, ratification and dismissal of judges and magistrates. Once the Federal Judicial Council has been installed, the commission shall submit a report about its resolutions to the plenary meeting.

Fourth Article.- Cases filed before publication of this Reform Act shall continue their process according to the provisions in force when they were filed.

24. TRANSITORY ARTICLE of the Reform Act issued on June 9, 1999 and published in the Official Gazette of the Federation on June 28, 1999, which adds a fifth paragraph to the Article 4, so that fifth and sixth paragraphs have been moved to the sixth and seventh positions, respectively; and reforms the first paragraph of the Article 25 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

25. TRANSITORY ARTICLE of the Reform Act issued on June 9, 1999 and published in the Official Gazette of the Federation on June 28, 1999, which reforms section XXIX-H and adds section XXIX-I of the Article 73 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

26. TRANSITORY ARTICLES of the Reform Act issued on June 9, 1999 and published in the Official Gazette of the Federation on June 28, 1999, which adds the section XXIX-J to the Article 73 of this Constitution.

First Article.- This addition shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- The term established to issue the statutory law about the powers of the Federal Government on sports matter is one year.

27. TRANSITORY ARTICLE of the Reform Act issued on July 14, 1999 and published in the Official Gazette of the Federation on July 29, 1999, which reforms the Article 58 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

28. TRANSITORY ARTICLES of the Reform Act issued on July 14, 1999 and published in the Official Gazette of the Federation on July 30, 1999, which adds a second paragraph and eight sections to the Article 78, having a section V in the Chapter II of the Title Three; and reforms the Article 74, section IV, fifth paragraph; reforms Articles 73, section XXIV, 74 section II, and 79. In addition, section III of the Article 74 of this Constitution is repealed.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation, except for that established in the following transitory articles.

Second Article.- The Federal Auditing Office shall begin operations on January 1, 2000. Sections I to IV of the Article 79, amended through this Reform Act, shall apply starting from the 2001 public account.

The Federal Auditing Office shall review the public accounts corresponding to 1998, 1999 and 2000 according to the provisions in force before this Reform Act.

Whenever such provisions talk about the Accounts Office of the House of Representatives, such mentions shall mean the Federal Auditing Office.

Third Article.- Until the Federal Auditing Office is opened, the Accounts Office shall continue performing its duties in accord with the Article 74, section IV of this Constitution, its organic law and other applicable judicial provisions in force before publication of this Reform Act.

Labor rights of the public servants working in the Accounts Office shall not be affected in any way due to the publication of this Reform Act and derived from it laws.

Once the Federal Auditing Office has been created, all human and material resources, as well as all properties belonging to the Accounts Office, shall be transferred to the Federal Auditing Office.

Fourth Article.- The Head of the accounts Office shall be the Head of the Federal Auditing Office until December 31, 2001. He may be ratified in the post until completion of the eight years term established in the Article 79 of this Constitution.

29. TRANSITORY ARTICLES of the Reform Act issued on August 18, 1999 and published in the Official Gazette of the Federation on September 13, 1999, which reforms the Article 102, part B, of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Current members of the Advisory Council of the National Human Resources Commission shall hold office until their terms. They may be elected for a second term according to the terms established in the Article 102, part "B", fifth paragraph, which is amended by this Reform Act.

Third Article.- Within a 60 days term, the Senate, or the Permanent Committee, shall appoint the President of the National Human Rights Commission in accord with the procedure indicated in the part B of the Article 102, which is reformed hereby. For this purpose, the following rules must be observed:

A. The appropriate commission of the Senate shall carry out a complete auscultation among the social organizations and public and private bodies that defend and protect human rights.

B. Based on the results of the auscultation, said commission can suggest ratification of the current Head of the National Human Rights Commission or suggest a list of three candidates.

Fourth Article.- Until the Congress of the Union issues the reforms to the Act of the National Human Rights Commission, this Commission shall perform its duties according to this Reform Act and the statutory law in force.

Fifth Article.- All provisions that oppose this Reform Act are repealed.

30. TRANSITORY ARTICLES of the Reform Act issued on October 28, 1999 and published in the Official Gazette of the Federation on December 23, 1999, which reforms the Article 115 of this Constitution.

First Article.- This decree shall come into force 90 days after its publication in the Official Gazette of the Federation, except for that established in the following transitory articles.

Second Article.- States shall have one year term to adapt their constitutions and laws in accord with this Reform Act. The Congress of the Union shall adapt the federal laws to this decree at the latest on April 30, 2001.

Until such date, current provisions shall remain in force.

Third Article.- Related to functions and services provided by the state governments or in coordination with the City Councils, and which must be transferred to the City Councils according to this decree, the state government may continue providing such services with the approval of the City Council. State governments must carry out all necessary arrangements in order to transfer such services to the City Council in an orderly manner within a 90 days term, starting from submission of the request.

State government can request the state legislature to keep under state jurisdiction the services mentioned in the Article 115, section III, paragraph "a" if transfer of such services to the City Council should affect their provision. The state legislature must pronounce a resolution thereof.

Until transfer of services mentioned in the first paragraph has been carried out, performing of public functions and provision of public services will continue under the current terms and conditions.

Fourth Article.- State governments and City Councils must make all arrangements necessary to adapt previous agreements to that established in this Reform Act and in the state constitutions and laws.

Fifth Article.- Before 2002 fiscal year, state legislatures, together with the respective City Councils, shall adjust registered land values to the market values in order to have an updated base for tax collection, observing the principles of proportionality and equity.

Sixth Article.- While making arrangements to comply with this decree, state governments and City Councils must observe the rights and comply with the liabilities acquired with third parties, and must observe the rights of the state and local public servants.

31. TRANSITORY ARTICLE of the Reform Act issued on March 8, 2000 and published in the Official Gazette of the Federation on April 7, 2000, which makes reforms and additions to the Article 4, last paragraph, of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

32. TRANSITORY ARTICLES of the Reform Act issued on August 23, 2000 and published in the Official Gazette of the Federation on September 21, 2000, which reforms, adds and repeals several provisions of the Article 20 of this Constitution.

First Article.- This decree shall come into force six months after its publication in the Official Gazette of the Federation.

Second Article.- Until the pertinent statutory laws are enacted, current legal provisions shall remain in force, provided that they do not oppose this Reform Act.

33. TRANSITORY ARTICLE of the Reform Act issued on August 23, 2000 and published in the Official Gazette of the Federation on September 21, 2000, which reforms the section XXV of the Article 73 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

34. TRANSITORY ARTICLES of the Reform Act issued on July 18, 2001 and published in the Official Gazette of the Federation on August 14, 2001, which adds the second and third paragraphs of the Article 1; reforms the Article 2; repeals the first paragraph of the Article 4; adds the sixth paragraph to the Article 18; and adds the last paragraph of the third section of the Article 115 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Once these reforms come into force, the Congress of the Union and the state legislatures shall reform the federal laws and state constitutions to comply with the provisions established in this decree.

Third Article. While defining the uninominal electoral districts, location of indigenous communities must be taken into account, where feasible, in order to encourage their political participation.

Fourth Article.- The President of the Republic shall order translation of the reasons and regulations of this decree to the several indigenous languages, as well as their spread among indigenous communities.

35. TRANSITORY ARTICLE of the Reform Act issued on June 13, 2002 and published in the Official Gazette of the Federation on June 14, 2002, which modifies the name of the Title Four and adds a second paragraph to the Article 113 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on January 1 of the second year following its publication in the Official Gazette of the Federation.

The federal, state and local governments will have the period between publication of this Reform Act and its enforcement to make the modifications and enact the laws necessary to assure compliance with it, as well as to include in their budgets the respective item in order to deal with their property liabilities.

Approval of the constitutional reform implies modifications to the federal and local secondary legal provisions in accordance with the following criteria:

- a) Related to compensations, the appropriate procedures must be followed first in order to determine whether the private individual is entitled to such compensation.
- b) Payment of compensation is subject to the budget available in that year.

The federal, state and local governments will have the period between publication of this Reform Act and its enforcement to make the modifications and enact the laws necessary to assure compliance with it. Such period shall be longer than one year, but less than two years, according to the date of publication and date of enforcement.



36. TRANSITORY ARTICLES of the Reform Act issued on May 15, 2002 and published in the Official Gazette of the Federation on November 12, 2002, which adds the sections III, V and VI to the Article 3 and the section I to the Article 31 of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- The Federal Department of Education must create technical and advisory commissions, together with other education authorities in the country, in order to standardize educational, curriculum and labor structure of the three educational levels and create a single level of basic education.

Third Article.- The Federal Department of Education must create technical and advisory commissions, together with other education authorities in the country, in order to review the plans, syllabus and materials for the courses and create the new syllabus for the compulsory preschool education applicable throughout the country; as well as to train teaching and managerial staff.

Fourth Article.- In order to encourage quality in preschool education, the Department of Education must make the necessary arrangements to comply with the Article 2 of the Statutory Law of the Article 5 of this Constitution: In order to teach preschool education, the teacher must have a degree, without damaging the rights of the current preschool teachers.

Fifth Article.- Preschool education shall be compulsory according to the following terms: third class, starting from the 2004-2005 cycle; second class, starting from 2005-2006 cycle; first class, starting from 2008-2009 cycle. Mexican State shall standardize a quality preschool education in the whole country.

Sixth Article.- Budgets of the federal, state, local and Federal District governments shall include the resources necessary to carry out: a) construction, extension and provision of the enough infrastructure to cover the three cycles of preschool education; b) training programs for the teaching staff; c) provision of study material for free for teachers and pupils.

Regarding remote rural communities, where it is not possible to build infrastructure for provision of preschool education, the Federal Department of Education, together with the local education authorities, shall implement special programs and resolutions in order to assure that pupils will have access to the elementary school.

Seventh Article.- State governments and the Federal District Government shall make and execute covenants with the Federal Government in order to comply with the provision about compulsory preschool education.

Eighth Article.- Once this Reform Act comes into force, the National Education Act and the other applicable provisions shall be reformed and added.

37. TRANSITORY ARTICLE of the Reform Act issued on May 21, 2003 and published in the Official Gazette of the Federation on September 29, 2003, which adds the section XXIX-K to the Article 73 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

38. TRANSITORY ARTICLE of the Reform Act issued on August 13, 2003 and published in the Official Gazette of the Federation on October 29, 2003, which reforms the first paragraph of the Article 63 and the section IV of the Article 77 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

39. TRANSITORY ARTICLE of the Reform Act issued on March 18, 2004 and published in the Official Gazette of the Federation on April 5, 2004, which adds the section XXIX-M to the Article 73 and amends section VI of the Article 89 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

40. TRANSITORY ARTICLE of the Reform Act issued on June 2, 2004 and published in the Official Gazette of the Federation on July 22, 2004, which reforms the second transitory article of the Articles 30, 32 and 37 of this Constitution, published on March 20, 1997.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

41. TRANSITORY ARTICLE of the Reform Act issued on July 7, 2004 and published in the Official Gazette of the Federation on July 30, 2004, which reforms the section IV of the Article 74 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

42. TRANSITORY ARTICLES of the Reform Act issued on June 30, 2004 and published in the Official Gazette of the Federation on August 2, 2004, which reforms the first paragraph of the Article 65 of this Constitution

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Once this decree comes into force, the Organic Law of the Congress of the Union and the other applicable provisions must be reformed and added.

43. TRANSITORY ARTICLE of the Reform Act issued on July 28, 2004 and published in the Official Gazette of the Federation on September 27, 2004, which adds the section XXIX-L to the Article 73 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

44. TRANSITORY ARTICLE of the Reform Act issued on May 4, 2005 and published in the Official Gazette of the Federation on June 20, 2005, which adds text to the Article 21 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

45. TRANSITORY ARTICLE of the Reform Act issued on November 8, 2005 and published in the Official Gazette of the Federation on November 28, 2005, which adds the third paragraph to the section XXI of the Article 73 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

46. TRANSITORY ARTICLES of the Reform Act issued on November 3, 2005 and published in the Official Gazette of the Federation on December 8, 2005, which reforms the only paragraph of the Article 46 and adds the second and third paragraphs to it; repeals the section IV of the Article 73; adds sections X and XI to the Article 76, therefore section X has been moved to become section XII; and reforms the section I of the Article 105, all belonging to the Political Constitution of the United Mexican States.

First Article.- This reform shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- In the first ordinary period of sessions after enforcement of this decree, the Senate shall create the Commission for State Borders, which creation and operation shall be carried out in accord with the statutory law enacted for this purpose, the Organic Law of the Congress of the Union and the internal regulation.

Third Article.- Conflicts between states about their borders, that have been submitted to the Supreme Court of Justice of the Nation before this Reform Act comes into force, shall be sent immediately to the Senate, which shall pronounce a definitive resolution through a decree.

47. TRANSITORY ARTICLE of the Reform Act issued on November 8, 2005 and published in the Official Gazette of the Federation on December 9, 2005, which reforms the Articles 14, second paragraph, and 22, first paragraph; and repeals the fourth paragraph of the Article 22 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

48. TRANSITORY ARTICLES of the Reform Act issued on November 8, 2005 and published in the Official Gazette of the Federation on December 12, 2005, which reforms the Article 18 of this Constitution as follows: amends the fourth paragraph, adds the fifth and sixth paragraphs, and the last two paragraphs are moved ahead.

First Article.- This decree shall come into force three months after its publication in the Official Gazette of the Federation.

Second Article.- The states and the Federal District will have a six months term after enforcement of this decree to create the laws, institutions and organs necessary for implementation of this decree.

(Added through a decree published on August 14, 2009)

Federal Government will have one year term after enforcement of this decree to enact the laws and create the institutions and organs necessary to implement, in the federal field, a complete system of justice for teenagers.

(Added through a decree published on August 14, 2009)

Third Article.- Affairs that are in process when the new laws come into force and the new institutions and organs are opened, shall be resolved according to the laws in force when they have been initiated. Once the new system comes into force, pending affairs shall be submitted to the responsible authority for resolution.

49. TRANSITORY ARTICLES of the Reform Act issued on March 16, 2006 and published in the Official Gazette of the Federation on April 7, 2006, which reforms the Articles 26 and 73, section XXIX-D, of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Until the law mentioned in part “B” of the Article 26 of this Constitution is enacted, the current law on statistical and geographical information and the other applicable legal and administrative provisions shall remain in force. Also, the appointments, powers, mandates and all the assignments and attributes conferred to the public servants serving in the National Institute of Statistics and Geography shall survive.

Third Article.- Upon enforcement of the part “B” of the Article 26 of this Constitution, all the financial, material and human resources belonging to the National Institute of Statistics and Geography shall be transferred to the organ created according to this decree. The part “B” of the Article 123 of this Constitution shall continue governing labor relationships in the new organ. The labor rights of the employees who were working in the National Institute of Statistics and Geography and start serving in the new organ will not be affected.

Fourth Article.- According to the law, the budget granted to the new organ must guarantee the free management, non transferring and proficiency of the public resources in order to carry out the plans and programs created under the Article 26 of this Constitution.

Fifth Article.- Pending affairs shall be transferred to the new organ, created under this decree.

Sixth Article.- The Congress of the Union shall enact the law mentioned in the part “B” of the Article 26 of this Constitution within the 180 calendar days after enforcement of this Reform Act.

Seventh Article.- All provisions that oppose to this decree are hereby repealed.

50. TRANSITORY ARTICLE of the Reform Act issued on August 23, 2006 and published in the Official Gazette of the Federation on September 14, 2006, which adds the paragraph “g” to the section II of the Article 105 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

50. TRANSITORY ARTICLES of the Reform Act issued on November 21, 2006 and published in the Official Gazette of the Federation on December 4, 2006, which reforms the Article 73, section XXIX-H of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- The law that regulates administrative liabilities of the public servants shall continue governing until its modification.

52. TRANSITORY ARTICLE of the Reform Act issued on November 21, 2006 and published in the Official Gazette of the Federation on December 4, 2006, which reforms the Article 1, third paragraph, of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

53. TRANSITORY ARTICLE of the Reform Act issued on January 17, 2007 and published in the Official Gazette of the Federation on February 12, 2007, which reforms the Article 76, section I, and the Article 89, section X, of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

54. TRANSITORY ARTICLE of the Reform Act issued on May 9, 2007 and published in the Official Gazette of the Federation on June 19, 2007, which reforms the section VI of the Article 82 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

55. TRANSITORY ARTICLE of the Reform Act issued on May 9, 2007 and published in the Official Gazette of the Federation on June 19, 2007, which reforms the section V of the Article 55 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

56. TRANSITORY ARTICLES of the Reform Act issued on May 9, 2007 and published in the Official Gazette of the Federation on July 20, 2007, which reforms the section X of the Article 73 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- All legal provisions that oppose to this Reform Act are hereby repealed, without prejudice to the norms issued by the state governments on accident prevention, public security and civil protection, provided that such norm observe the applicable law.

57. TRANSITORY ARTICLES of the Reform Act issued on June 13, 2007 and published in the Official Gazette of the Federation on July 20, 2007, which adds the second paragraph, with seven sections, to the Article 6 of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Federal, state and local governments must enact laws that guarantee right to information and transparency, or reform the existing laws, at the latest one year after enforcement of this decree.

Third Article.- Federal, state and local governments must have electronic systems to make information available for anybody at remote places two years after enforcement of this decree at the latest. Local laws shall implement the measures necessary to assure that municipalities having more than 70,000 inhabitants and the Federal District suburbs have their own electronic systems in the same term.

58. TRANSITORY ARTICLES of the Reform Act issued on May 9, 2007 and published in the Official Gazette of the Federation on August 2, 2007, which reforms the Articles 29, 73, 90, 92, 93, 95, 110 and 111 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- The Congress of the Union shall modify the federal laws to adapt them to the provisions stated in this Reform Act. The states and the Federal District shall modify their laws to adapt them to the provisions established in this decree at the latest six months after its publication in the Official Gazette of the Federation.

59. TRANSITORY ARTICLES of the Reform Act issued on June 13, 2007 and published in the Official Gazette of the Federation on August 15, 2007, which adds the section XXIX-N of the Article 73 of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- All provisions that oppose this Reform Act are hereby repealed.

60. TRANSITORY ARTICLE of the Reform Act issued on May 9, 2007 and published in the Official Gazette of the Federation on September 27, 2007, which reforms section IV of the Article 99 of the Political Constitution of the United Mexican States.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

61. TRANSITORY ARTICLES of the Reform Act issued on November 6, 2007 and published in the Official Gazette of the Federation on November 13, 2007, which reforms the first paragraph of the Article 6; makes reforms and additions to the Articles 41 and 99; amends the first paragraph of the Article 85; reforms the first paragraph of the Article 108; amends and adds the section IV of the Article 116; reforms the Article 122, First Base, section V, paragraph "f"; adds the three last paragraphs to the Article 134; and repeals the third paragraph of the Article 97, all belonging to the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Only for this time, the Federal Electoral Institute must fix an expenditure ceiling amount for the presidential campaign in 2008, with the purpose to fix a limit to the annual private contributions to the parties.

Third Article.- The Congress of the Union must adapt the federal laws within a 30 calendar days term after enactment of this decree.

Fourth Article.- In order to comply with the Article 41, Fifth Base, third paragraph, of this Constitution, the House of Representatives must create the General Council of the Federal Electoral Institute within a 30 calendar days term after enforcement of this decree and according to the following bases:

- a) The House of Representatives shall appoint a new President Councilor, who shall hold office until October 30, 2013. This President Councilor may be reelected once only in accordance with the third paragraph of the Article 41 of this Constitution.
- b) The House of Representatives must appoint two new electoral councilors, who shall hold office until October 30, 2016.
- c) Among the current eight electoral councilors, the House of Representatives must select three councilors, who shall hold office until August 15, 2008, and three councilors, who shall hold office until October 30, 2010.
- d) Before August 15, the House of Representatives must appoint three new electoral councilors, who shall hold office on October 30, 2013.



Until the House of Representatives makes these appointments, the current President Councilor and the current electoral councilors shall continue in office. The appointment of substitute councilors established in the Reform Act published on October 31, 2003 in the Official Gazette of the Federation is hereby cancelled.

Fifth Article.- The Organic Law of the Federal Judiciary shall govern the staggered renovation of electoral magistrates for the High Court and the regional courts of the Electoral Court of the Judicial Power of the Mexican Federation.

Sixth Article.- State legislatures and the Federal District Assembly of Representatives shall have one year term to adapt their laws to the provisions established in this decree. If applicable, they must observe the provisions of the Article 105, section II, fourth paragraph of this Constitution.

The states that are carrying out electoral processes or are to begin them while this decree is been enforced, shall perform elections according to their current electoral laws. However, after completion of the electoral process, they must modify their electoral laws in the term indicated in the previous paragraph, starting from the day following conclusion of the electoral process.

Seventh Article.- All provisions that oppose this decree are hereby repealed.

62. TRANSITORY ARTICLES of the Reform Act issued on February 19, 2008 and published in the Official Gazette of the Federation on May 7, 2008, which reforms the Article 74, section IV, first and eight paragraphs; reforms the Article 79, sections I and II, and fifth paragraph; amends Article 122, part "C", First Base, section V, letter "c" first paragraph, and letter "e"; reforms the Article 134, first and fourth paragraphs; adds the section XXVIII to the Article 73; adds the section VI to the Article 74; adds the second paragraph to the Article 79, so the second to sixth paragraphs have been moved to the third to seventh positions, respectively, and adds the second paragraph to the section IV; adds the fourth and fifth paragraphs to the section II of the Article 116; adds the third paragraph to the letter "c", section V, First Base, part C of the Article 122; adds the second paragraph to the Article 134, so that the second to the eighth paragraphs have been moved to the third to ninth positions, respectively; and repeals the fifth, sixth and seventh paragraphs of the section IV of the Article 74, so that the eighth paragraph has been moved to the fifth position, all these articles belonging to the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation, except for that established in the third transitory article below.

Second Article.- The Congress of the Union, the state legislatures and the Federal District Assembly of Representatives shall have one year term to enact the laws and issue the reform acts necessary to comply with this decree, starting from its enforcement date, except for that established in the Article 74, section IV, of this Constitution.

Third Article.- The dates established for submission of the public accounts and the revision reports shall come into force starting from the 2008 public account.

Fourth Article.- Public accounts corresponding to years before 2008, shall be subject to the following provisions:

I. Within the 180 calendar days after enforcement of this decree, the House of Representatives must conclude revision of the public accounts corresponding to the years 2002, 2003, 2004 and 2005.

II. Public accounts corresponding to the years 2006 and 2007, shall be reviewed in accordance with the provisions in force before this decree.

III. The House of Representatives must conclude revision of the 2006 public account during 2008.

IV. 2007 public account must be submitted at the latest on May 15, 2008. The revision report must be presented on March 15, 2009 at the latest, and revision must end during 2009.

Mexico City, February 19, 2008.- Senator Santiago Creel Miranda, speaker; congresswoman Ruth Zavaleta Salgado, speaker; senator Gabino Cue Monteagudo, secretary; congresswoman Esmeralda Cardenas Sanchez, secretary. Signatures.

63. TRANSITORY ARTICLES of the Reform Act issued on May 28, 2008 and published in the Official Gazette of the Federation on June 18, 2008, which reforms the Articles 16, 17, 18, 19, 20, 21 and 22; reforms sections XXI and XXIII of the Article 73; amends section VII of the Article 115; and amends the Article 123, part B, section XIII, of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation, except for that established in the following transitory articles.

Second Article.- The new adversarial criminal justice system, established by the Article 16, second to thirteenth paragraphs; the Article 17, third, fourth and sixth paragraphs; the Articles 19 and 20; and the Article 21, seventh paragraph, of this Constitution, shall come into force on the date established by the respective secondary legislation, without exceeding an eight years term after publication of this decree.

Therefore, the federal government, the state governments and the Federal District Government must issue and implement the necessary modifications and provisions to incorporate the new adversarial criminal justice system. The federal government, the state governments and the Federal District Government can choose the type of adversarial criminal justice system: regional or by type of crime.

Once the legal provisions mentioned in the previous paragraph have been published, the respective legislative organ must issue a declaration, through the official media, stating that the adversarial criminal justice system has been incorporated and, as a consequence, the fundamental rights granted by this Constitution shall govern the criminal proceedings.

Third Article.- The new adversarial criminal justice system shall come into force on the day following publication of this decree in the Official Gazette of the Federation in the states where it was already incorporated to the laws. The proceedings carried out according to this laws shall be fully valid, regardless the filing date. However, the states must issue the declaration mentioned in the second transitory article.

Fourth Article.- Criminal proceedings initiated before the new adversarial criminal justice system, established in Articles 16, second and thirteenth paragraph; 17, third, fourth and sixth paragraph; 19; 20 and 21, seventh paragraph of the present Constitution shall be concluded in accordance with the provisions in force before such system.

Fifth Article.- The new rehabilitation system mentioned in the second paragraph of the Article 18, as well as modifications made to penalties in the third paragraph of the Article 21, shall come into force on the date indicated in the respective secondary legislation, without exceeding a three years term after publication of this reform act.

Sixth Article.- State laws on organized crime shall remain in force until the Congress of the Union exercises the power conferred to it in the Article 73, section XXI, of this Constitution. Criminal proceedings initiated according to the previous state laws and the sentences pronounced basing on them will not be affected when the new federal laws come into force. Therefore, such proceedings must be concluded and sentences must be enforced in accord with the previous state laws.

Seventh Article.- The Congress of the Union shall enact a law to create the National System of Public Security within the six months after publication of this decree. The state legislatures shall enact the laws on this matter within one year term after enforcement of this decree.

Eight Article.- The Congress of the Union, the state legislatures, and the Federal District Assembly of Representatives shall set the necessary resources aside for the reform of the

criminal justice system. This item must be included in the budget for the next year after enforcement of this Reform Act, as well as in the successive budgets. These resources shall be used for design of legal reforms, organizational changes, construction and operation of infrastructure and training for judges, public prosecutors, police officers, counsels, legal experts and lawyers.

Ninth Article.- Within the two months after enforcement of this decree, it shall be created a coordinating body, which must include representatives of the executive branch, the legislative branch, the judicial branch, the academic sector, the civil society, the public security conferences, the courts and presidents of the courts. This coordinating body shall have a technical department, which shall attend the local and federal authorities.

Tenth Article.- The Federal Government must create a special fund to finance the activities of the technical department mentioned in the previous article. Resources shall be granted according to the fulfillment of objectives and responsibilities.

Eleventh Article.- Until the new adversarial criminal justice system comes into force, the agents of the Public Prosecution System can request the judge the house arrest of the suspect in the case of serious crimes for up to 40 days.

This measure applies only when necessary for the success of the investigation, the protection of persons or legal properties, or when there is a justified risk of escape.

Mexico City, May 28, 2008.- Senator Santiago Creel Miranda, speaker; congresswoman Susana Monreal Avila, secretary. Signatures.

64. TRANSITORY ARTICLES of the Reform Act published in the Official Gazette of the Federation on August 15, 2008, which reforms the first paragraph of the Article 69 and adds a second paragraph to it; amends the second paragraph of the Article 93 and adds the fourth and fifth paragraphs to it, both articles belonging to the Political Constitution of the United States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- All provisions opposing this decree are hereby repealed.

Mexico City, July 30, 2008.- Senator Santiago Creel Miranda, speaker; congresswoman Susana Monreal Avila, secretary. Signatures.

65. TRANSITORY ARTICLE of the Reform Act published in the Official Gazette of the Federation on August 29, 2008, which reforms the Article 88 of this Constitution.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Mexico City, August 13, 2008.- Senator Santiago Creel Miranda, speaker; congresswoman Maria Oralia Vega Ortiz, secretary. Signatures.

66. TRANSITORY ARTICLES of the Reform Act published in the Official Gazette of the Federation on September 26, 2008, which reforms the Article 116, section I, fifth paragraph, of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- State legislatures must modify the state constitutions and the secondary laws within the 30 calendar days after enforcement of this Reform Act.

Mexico City, August 13, 2008.- Senator Santiago Creel Miranda, speaker; congresswoman Maria Oralia Vega Ortiz, secretary. Signatures.

67. TRANSITORY ARTICLES of the Reform Act published in the Official Gazette of the Federation on April 30, 2009, which adds the ninth paragraph to the Article 4; reforms the section XXV of the Article 73 and adds the section XXIX-Ñ to it, both articles belonging to the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- All the legal acts issued according to the previous laws and to the Federal Copyright Law in force will remain valid, including registration of works and contracts, copyrights, resolutions of proceedings, as well as legal acts made and executed between private parties, like agreements, covenants, wills, etc.

Mexico City, March 24, 2009.- Senator Gustavo E. Madero Muñoz, speaker; congressman Cesar Horacio Duarte Jaquez, speaker; senator Gabino Cue Monteagudo, secretary; congressman Manuel Portilla Dieguez, secretary.- Signatures.

68. TRANSITORY ARTICLES of the Reform Act published in the Official Gazette of the Federation on April 30, 2009, which adds the section XXIX-O to the Article 73 of the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- Once this Reform Act comes into force, the Congress of the Union must enact the law on this matter within a 12 months term.

Third Article.- The laws on personal data managed by private parties enacted by the state legislatures shall remain in force until the Congress of the Union enacts the respective law on the power conferred hereby.

Mexico City, March 24, 2009.- Senator Gustavo Enrique Madero Muñoz, speaker.- Congressman Cesar Horacio Duarte Jaquez, speaker.- Senator Gabino Cue Monteagudo, secretary.- Congresswoman Maria Eugenia Jimenez Valenzuela, secretary.- Signatures.

69. TRANSITORY ARTICLES of the Reform Act published in the Official Gazette of the Federation on May 4, 2009, which reforms the first paragraph of the section XXI of the Article 73 of this Constitution.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Second Article.- State laws on kidnapping shall remain in force until the Congress of the Union exercises the power conferred to it by the Article 73, section XXI, of this Constitution. Criminal proceedings initiated according to the previous state laws and the sentences pronounced basing on them will not be affected when the new federal laws come into force. Therefore, such proceedings must be concluded and sentences must be enforced in accord with the previous state laws.

Mexico City, March 24, 2009.- Senator Gustavo E. Madero Muñoz, speaker.- Congressman Cesar Horacio Duarte Jaquez, speaker.- Senator Gabino Cue Monteagudo, secretary.- Congresswoman Margarita Arenas Guzman, secretary.- Signatures.

70. TRANSITORY ARTICLE of the Reform Act published in the Official Gazette of the Federation on June 1, 2009, which adds a second paragraph to the Article 16 of this Constitution, so that the rest of paragraphs have been moved ahead.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Mexico City, April 21, 2009.- Congressman Cesar Horacio Duarte Jaquez, speaker.- Senator Gustavo Enrique Madero Muñoz, speaker.- Congresswoman Margarita Arenas Guzman, secretary.- Senator Gabino Cue Monteagudo, secretary.- Signatures.

71. TRANSITORY ARTICLE of the Reform Act published in the Official Gazette of the Federation on August 14, 2009, which adds a second paragraph to the second transitory

article and adds a third transitory article to the Reform Act published on December 12, 2005 in the Official Gazette of the Federation, which amends the fourth paragraph of the Article 18 of this Constitution and adds the fifth and sixth paragraphs to it, so that the last two paragraphs of such article are moved ahead.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Mexico City, July 15, 2009.- Senator Gustavo Enrique Madero Muñoz, speaker.-  
Congresswoman Esmeralda Cardenas Sanchez, secretary.- Signatures.

72. TRANSITORY ARTICLE of the Reform Act published in the Official Gazette of the Federation on August 24, 2009, which reforms the Article 115, section IV, letter “c”, fourth paragraph; amends the Article 122, First Base, section V, letter “b”, first paragraph; reforms the Article 123, part B, section IV, first paragraph; amends the Article 127; and adds the second and third paragraphs to the Article 75; adds the fourth and fifth paragraphs to the section II of the Article 116, so that the fourth and fifth paragraphs have been moved ahead; adds a second paragraph to the letter “b” of section V, First Base, of the Article 122, so that the second to fifth paragraphs have been moved ahead, all these articles belonging to the Political Constitution of the United Mexican States.

First Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation. Provisions which contravene this decree are hereby repealed.

Second Article.- Remunerations that exceed the maximum remuneration established in this decree must be adjusted or decreased in the next expenditure budget.

Third Article.- Starting from the fiscal year following that one where this decree has come into force, remunerations of the ministers of the Supreme Court of Justice, the magistrates of the Electoral Court, the circuit magistrates, the district judges, the councilors of the Federal Judicial Council, the members of the General Council of the Federal Electoral Institute, and the state magistrates and judges shall be subject to the following provisions:

a) Salaries exceeding the ceiling amount established in the base II of the Article 127 of this Constitution shall remain without changes until the end of the term.

b) Additional remunerations, such as bonuses, rewards, incentives, commissions, compensations and any other remuneration in cash or in kind, may be kept by the public servant only when the total remuneration does not exceed the ceiling amount established in the base II of the Article 127 of this Constitution.

c) Increases to the salary or to the additional remunerations may be done only when the total remuneration does not exceed the ceiling amount mentioned before.

Fourth Article.- The Congress of the Union, the state legislatures and the Federal District Assembly of Representatives shall have a period of 180 calendar days after enforcement of this decree in order to enact or modify the laws to comply with the provisions established in this decree.

Fifth Article.- Within the 180 calendar days after enforcement of this decree, the Congress of the Union, the state legislatures and the Federal District Assembly of Representatives must classify and punish, through criminal and administrative proceedings, public servants misconducts directed to evade the provisions established in this decree.

Mexico City, July 22, 2009.- Senator Gustavo Enrique Madero Muñoz, speaker.-  
Congresswoman Esmeralda Cardenas Sanchez, secretary.- Signatures.

73. TRANSITORY ARTICLE of the Reform Act published in the Official Gazette of the Federation on April 27, 2010, which reforms the Article 122 of this Constitution, part "C", Fourth Base, section II.

Only Article.- This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Mexico City, March 2, 2010.- Senator Carlos Navarrete Ruiz, speaker.- Congressman Francisco Javier Ramírez Acuña, speaker.- Senator Ludivina Menchaca Castellanos, secretary.- Congressman Jaime Arturo Vazquez Aguilar, secretary.- Signatures.

74. TRANSITORY ARTICLE of the Reform Act published in the Official Gazette of the Federation on July 29, 2010, which adds a third paragraph to the Article 17 of this Constitution and moves the order of the following ones.

Only Article.- A third paragraph is added to the Article 17 of this Constitution and moves the order of the next ones, as it follows:

First Article.- This amendment will come into force the day following its publication in the Official Gazette of the Federation.

Second Article.- The Congress of the Union shall modify the corresponding laws within a one-year period from this amendment coming into effect.

Mexico City, June 9, 2010.- Senator Carlos Navarrete Ruiz, speaker.- Congressman Óscar Saúl Castillo Andrade, secretary.- Signatures.



75. TRANSITORY ARTICLE of the DECREE published in the Official Gazette of the Federation the 13th day of April 2011, which reforms the article 43 of the Mexican Constitution.

Only article. This decree shall come into force on the day following its publication in the Official Gazette of the Federation.

Mexico City, 22th day of February 2011.- Deputy Jorge Carlos Ramirez Marin, chairman.- Senator Manlio Fabio Beltrones Rivera, chairman.- Deputy Carlos Samuel Moreno Teran, secretary.- Senator Martha Leticia Sosa Govea, Secretary.- Signatures.

76. TRANSITORY ARTICLES of the DECREE published in the Official Gazette of the Federation the 6th day of June 2011, which reforms the article 94 of the Mexican Constitution in the following way: a) amending paragraph currently located in eight place; b) paragraphs currently located in seventh and ninth places were added. In addition, the articles 103 and 104 were reformed. The following parts of the article 107 were reformed: first paragraph; sections I and II; subdivision (a) of section III; sections IV, V, VI, and VII; subdivision (a) of section VIII; sections IX, X, XI, XIII, XVI and XVII; and section XIV was repealed.

First Article.- This decree shall come into force 120 days after publication in the Official Gazette of the Federation.

Second Article.- The Congress shall enact the appropriate legal reforms within 120 days of the date of publication of this decree.

Third Article.- The constitutional adjudications filed before the date this decree comes into force shall continue to be processed until final ruling and enforcement according to the applicable provisions that were in force on the date such constitutional adjudications were filed, except for the provisions that regulate discontinuation due to inactivity in the proceeding or discontinuance.

Fourth Article.- For the integration of case law by repetition, the theses approved on the basis of provisions that were in force before this decree comes into force should not be taken into account.

Mexico City, 4th day of May 2011.- Senator Manlio Fabio Beltrones Rivera, chairman.- Deputy Juan Carlos López Fernández, Secretary.- Signatures.

77. TRANSITORY ARTICLES of the DECREE published in the Official Gazette of the Federation the 10th day of June 2011. This decree modifies the name of the Chapter One of the Title One of the Mexican Constitution; as well as the first and fifth paragraphs of the

article 1; the second paragraph of the article 3; the first paragraph of the article 11; the article 15; the second paragraph of the article 18; the first paragraph of the article 29; the first paragraph of the article 33; the section X of the article 89; the second paragraph of the article 97; the second and third paragraphs of the part B of the article 102; and the subdivision (g) of the section II of the article 105 of the Mexican Constitution. This decree also adds two new paragraphs (second and third) to the article 1, moving forward the rest of paragraphs; as well as a new paragraph (second) to the article 11; the second, third, fourth and fifth paragraphs to the article 29; the second paragraph to the article 33, moving forward the previous second paragraph; and the fifth, eighth and eleventh paragraphs to the article 102, part B, of the Mexican Constitution.

First Article.- This decree shall come into force the day following its publication in the Official Gazette of the Federation.

Second Article.- The law mentioned in the third paragraph of the article 1 of the Mexican Constitution, regarding redress, should be enacted within one year of the date this decree comes into force.

Third Article.- The law mentioned in the article 11 of the Mexican Constitution, regarding asylum, should be enacted within one year of the date this decree comes into force.

Fourth Article.- The Congress of the Union shall enact the statutory law of the article 29 of the Mexican Constitution, regarding suspension of constitutional rights, within one year of the date this decree comes into force.

Fifth Article.- The Congress of the Union shall enact the statutory law of the article 33 of the Mexican Constitution, regarding expulsion of foreigners, within one year of the date this decree comes into force. Meanwhile, the article 33 will be applied according to the current text.

Sixth Article.- The trials mentioned in the second paragraph of the article 97 of the Mexican Constitution, filed before this reform comes into force, shall be processed by the Supreme Court of Justice of the Nation until the sentence is pronounced.

Seventh Article.- Regarding the part B of the article 102 of the Mexican Constitution, as well as the autonomy of local bodies which protect the human rights, the local congresses shall carry out the necessary modifications within one year of the date this decree comes into force.

Eighth Article.- The Congress of the Union shall adapt the Law of the National Human Rights Commission within one year of the date this decree comes into force.

Ninth Article.- Any provision which contravenes this decree is hereby repealed.

Mexico City, 1st day of June 2011.- Senator Manlio Fabio Beltrones Rivera, President.- Deputy Julio Castellanos Ramírez, Secretary.- Signatures.

78. TRANSITORY ARTICLES of the DECREE published in the Official Gazette of the Federation the 14th day of July 2011, which reforms the articles 19, second paragraph; 20, part C, section V; and 73, section XXI, first paragraph, of the Mexican Constitution.

First article.- This decree shall come into force the day following its publication in the Official Gazette of the Federation.

Second article.- The Mexican Congress shall enact the Law to Prevent and Punish Trafficking in Persons within 180 days of the date in which this decree comes into force.

Mexico City, June 29, 2011.- Senator Manlio Fabio Beltrones Rivera, President.- Deputy Arturo Zamora Jiménez, Secretary.- Signatures.

79. TRANSITORY ARTICLES Updated by the reforms made to the articles 71, 72 and 78, published in the Official Gazette of the Federation on August 17, 2011.

SINGLE ARTICLE.- This decree shall come into force on the day after its publication in the Official Gazette of the Federation.

Mexico City, 25th day of May 2011.- Senator Francisco Arroyo Vieyra, vice-president.- Deputy Arturo Zamora Jiménez, secretary.- Signatures.