



NATIONAL ANTICORRUPTION SYSTEM GENERAL LAW

TEXT IN FORCE

New Law published in the Federal Official Gazette on July 18, 2016

A seal with the National Coat of Arms, that reads: Mexican United States.- Presidency of the Republic.

ENRIQUE PEÑA NIETO, President of the Mexican United States, to its residents, be known:

That the Honorable Congress of the Union has sent me the following:

DECREE

"THE MEXICAN CONGRESS PROMULGATES:

THE NATIONAL ANTICORRUPTION SYSTEM GENERAL LAW; THE ADMINISTRATIVE RESPONSIBILITIES GENERAL LAW, AND THE FEDERAL COURT OF ADMINISTRATIVE JUSTICE ORGANIC LAW.

ARTICLE FIRST. Promulgation of the National Anticorruption System General Law.

NATIONAL ANTICORRUPTION SYSTEM GENERAL LAW

**TITLE FIRST
GENERAL PROVISIONS**

**Chapter I
Subject of the Law**

Article 1. This is Common Law of general adherence in the national territory and its purpose is to establish the basis for the coordination between the Federation, states, municipalities Mexico City councils, for the operation of the National System provided for in article 113 of the Mexican Constitution, so that competent authorities prevent, investigate and punish administrative breaches and acts of corruption.

Article 2. This Law's objectives are:

- I. To establish coordination mechanisms among the diverse anticorruption bodies of the Federation, states, municipalities and Mexico City councils;
- II. To establish the minimum basis to prevent corruption acts and administrative breaches;
- III. To establish the basis to generate integrated anticorruption public policies, as well as public resources audit and control policies;
- IV. To establish the basic guidelines to determine the coordination between competent authorities to generate public policies on the subject of prevention, detection, control, punishment, dissuasion and combat against corruption.
- V. To regulate the organization and operation of the National System, its Coordinating Committee and its Executive Secretariat, as well as to establish the basis for coordination between its members;

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- VI. To establish the basis, principles and procedures for the organization and operation of the Social Participation Committee;
- VII. To establish the basis and policies to promote, encourage and spread a culture of public service integrity, as well as accountability, transparency, and public resources audit and control;
- VIII. To establish permanent actions to ensure the integrity and ethical behavior of Public Servants, as well as creating the minimum basis for each body of the Mexican State to establish effective public ethics and responsibility policies for public service.
- IX. To establish the basis for the National Audit System, and
- X. To establish the minimum basis to create and implement electronic systems for the supply, exchange, systematization and updating of the information generated by the competent institutions at all governmental branches.

Article 3. The following terms shall have the meanings stated below:

- I. Selection commission: the one established in the terms of this Law to appoint the members of the Social Participation Committee;
- II. Executive Commission: the auxiliary technical body of the Executive Secretariat;
- III. Coordination Committee: the instance referenced in article 113 of the Mexican Constitution, in charge of the coordination and efficacy of the National System;
- IV. Social Participation Committee: the collegiate body referred in section II of article 113 of the Mexican Constitution, which shall enjoy the capacities stipulated in this Law;
- V. Days: business days;
- VI. Public entities: the Legislative and Judicial powers, autonomous constitutional bodies, Federal Public Administration agencies and entities and their corresponding entities in the states; municipalities and Mexico City's councils and their agencies and entities; the Office of the Attorney General and local prosecutors' offices; jurisdictional bodies that do not pertain to the judicial powers; State owned productive corporations, as well as any other entity under the control of any of the indicated public powers and bodies of the three governmental branches;
- VII. Internal audit bodies: the Internal Audit Bodies of the public Entities;
- VIII. Executive Secretariat: the office acting as technical support body for the Coordinating Committee.
- IX. Technical Secretary: the public servant in charge of the management of the Executive Secretariat, as well as all other capacities in the terms of this Law;
- X. Public servants: any person who falls into the assumptions of article 108 of the Mexican Constitution;
- XI. National System: the National Anticorruption System
- XII. National Audit System: The National Audit System is the set of interinstitutional coordination mechanisms between the bodies responsible for governmental auditing in the



various governmental branches, to the purpose of maximizing the coverage and impact of auditing all over the country, based on a strategic vision; the application of equivalent professional standards; the creation of capacities and effective information exchange, without redundancy or omission, and

- XIII. Local Systems: anticorruption systems in the states referred in Chapter V of Title Second of this Law.

Article 4. Public Entities integrating the National System are subject to this Law.

Chapter II Principles governing public service

Article 5. The following are the principles governing public service: lawfulness, objectivity, professionalism, honesty, loyalty, impartiality, efficiency, efficacy, equity, transparency, economy, integrity and equal opportunities.

Public Entities are bound to create and maintain structural and regulating conditions which allow a proper operation of the State as a whole, and an ethical and responsible action of each public servant.

TITLE SECOND ON THE NATIONAL ANTICORRUPTION SYSTEM

Chapter I On the subject of the National Anticorruption System

Article 6. The National System's purpose is to establish principles, general basis, public policies and procedures for coordination between the authorities in all government branches to prevent, detect and punish administrative breaches and acts of corruption, as well as to audit and control public resources. Its purpose is to establish, articulate and evaluate policies on the subject.

Public policies established by the National System's Coordination Committee shall be implemented by all public Entities.

The Executive Secretariat shall follow-up on the implementation of said policies.

Article 7. The National System is composed of:

- I. The members of the Coordinating Committee;
- II. The Social Participation Committee;
- III. The Governing Committee of the National Audit System, and
- IV. The Local Systems, who shall concur through their representatives.

Chapter II About the Coordinating Committee

Article 8. The Coordinating Committee is responsible to establish coordination mechanisms between the members of the National System and shall be in charge of the design, promotion and evaluation of anticorruption public policies.



Article 9. The Coordinating Committee shall enjoy the following authority:

- I. To prepare its annual work program;
- II. To establish the basis and principles for an effective coordination of its members.
- III. To approve, design and promote the national policy on the subject, as well as its regular evaluation, adjustment and modification;
- IV. To approve the methodology of the evaluation signs referred in the preceding section, based on the proposal issued by the Executive Secretariat;
- V. To become aware of the results of the evaluations made by the Executive Secretariat and, based on them, decide the corresponding measures to be taken or the amendments on the integrated policies;
- VI. To require information from public Entities relating to their compliance with the national policy and all other implemented integrated policies; as well as collecting data, comments and proposals required for their evaluation, revision or amendment, in accordance with the indicators created for such effects;
- VII. To determine and implement the mechanisms, basis and principles of coordination with audit and control authorities, as well as those in charge of the prevention and dissuasion of administrative breaches and acts of corruption, especially on the causes that induce them;
- VIII. To issue an annual report including progress and results of the exercise of its capacities and the application of policies and programs on the subject;

Such report shall be the result of the evaluations performed by the Executive Secretariat and will be approved by the majority of the members of the Coordinating Committee, who may cast particular, concurrent or dissident votes on the matter and shall be included in the annual report;

- IX. To the purpose of ensuring the implementation of measures aimed at institutional strengthening to prevent administrative breaches and corruption acts, as well as to enhance the performance of internal control, the Coordinating Committee shall issue public non-binding recommendations before the corresponding authorities and follow-up on them in the terms of this Law;
- X. To establish coordination mechanisms with Local Anticorruption Systems;
- XI. The definition of the mechanism to supply, exchange, systematize and update information generated by the competent institutions at all governmental branches;
- XII. To establish a Digital Platform that integrates and connects the various electronic systems that hold the necessary data and information for the Coordinating Committee to establish integrated policies, measurement methodologies and to approve the necessary indicators to evaluate them;
- XIII. To establish a National Digital Platform that integrates and connects the various electronic systems that hold the necessary data and information for the competent authorities to access the systems referred in Title Fourth of this Law;
- XIV. To execute the necessary coordination, collaboration and cooperation agreements to comply with the purposes of the National System;



- XV. To promote the establishment of guidelines and cooperation agreements between financial and audit authorities to enable fast and timely access for Internal Control Bodies and auditing entities to the information kept in relation to the investigation of administrative breaches and acts of corruption where economic flows are involved;
- XVI. To order the necessary measures to grant access to competent authorities on prevention, detection and punishment of administrative responsibilities and acts of corruption, as well as those in charge of audit and control of public resources, to the necessary information to exercise their capacities, held in the systems connected to the Digital Platform;
- XVII. To participate, in terms of the laws on the subject, in international corruption combat mechanisms, in order to become aware of and share international best practices, to collaborate for the global combat of the phenomenon and, when applicable, to share with the international community experiences relating to the evaluation mechanisms for anticorruption policies, and
- XVIII. All others stipulated in this Law.

Article 10. The members of the Coordinating Committee are:

- I. A representative of the Social Participation Committee, who will preside over it;
- II. The head of the Federal Superior Audit Office;
- III. The head of the Special Anticorruption Prosecutor Office;
- IV. The head of the Ministry of Public Administration;
- V. A representative of the Federal Council of the Judiciary;
- VI. The President of the National Institute of Transparency, Access to Information and Personal Data Protection, and
- VII. The President of the Federal Court of Administrative Justice.

Article 11. For a proper operation of the National System, the presidency of the Coordinating Committee will hold office for one year, which will rotate among the members of the Social Participation Committee.

Article 12. The capacities of the President of the Coordinating Committee are:

- I. To preside over the meetings of the National System and the Coordinating Committee;
- II. To act in behalf of the Coordinating Committee;
- III. To summon to meetings through the Technical Secretary;
- IV. To follow-up on the decisions of the Coordinating Committee, through the Executive Secretariat;
- V. To preside over the governing body of the Executive Secretariat;



- VI. To propose the appointment of the Technical Secretary to the governing body of the Executive Secretariat;
- VII. To inform the members of the Coordinating Committee about decisions' follow-up and recommendations agreed upon during the meetings;
- VIII. To submit the Coordinating Committee's annual results report for approval and publication;
- IX. To submit for approval the recommendations on the subject of combat against corruption, and
- X. Those provided for in the operation and internal organization rules of the Coordinating Committee.

Article 13. The Coordinating Committee hold an ordinary meeting every quarter. The Technical Secretary may summon to an extraordinary meeting on request from the President of the Coordinating Committee or by request from the majority of the members of said Committee.

The majority of members shall be present for the Coordinating Committee to hold a meeting.

The Coordinating Committee may invite representatives of the Local Systems and Internal Control Bodies of autonomous agencies recognized in the Mexican Constitution, other public Entities or private social organizations to its meetings.

The National System shall meet prior summons from the Coordinating Committee in the terms it determines.

Article 14. The decisions shall be reached by a majority of votes, with the exception of those cases where this Law stipulates a qualified majority.

The President of the Coordinating Committee shall have casting vote in case of a tie. The members of the Coordinating Committee may cast a particular vote on the matters approved by it.

Chapter III On the Social Participation Committee

Article 15. The purpose of the Social Participation Committee is to assist in the attainment of the objectives of the Coordinating Committee, in the terms of this Law, as well as to be the instance linking with social and academic organizations related to the subjects of the National System.

Article 16. The Social Participation Committee shall be composed of five trustworthy and prestigious citizens that have made outstanding contributions to transparency, accountability or combat against corruption. Its members shall comply with the same requisites stipulated in this Law for appointment as Technical Secretary.

The members of the Social Participation Committee, during their term in office, may not hold any employment, position or commission of any nature whatsoever in the federal, local or municipal governments, or any other employment that prevents the free exercise of the services provided to the Social Participation Committee and the Executive Commission.

They shall hold office five years, without reelection, and will be renewed in a staggered manner, and may only be removed from office for any of the causes stipulated in the regulations related to private parties' acts linked to serious administrative breaches.



Article 17. The members of the Social Participation Committee will not have any labor relationship whatsoever with the Executive Secretariat by virtue of their assignment. The legal relationship with it, as well as their consideration, will be established by independent service provider contracts in the terms established by the governing body; therefore, they will not enjoy labor benefits, ensuring in this way objectivity in their contributions to the Executive Secretariat.

The members of the Social Participation Committee, during their term in office, may not hold any employment, position or commission of any nature whatsoever in the federal, local or municipal governments, or any other employment that prevents the free exercise of the services provided to the Social Participation Committee and the Executive Commission.

The members of the Social Participation Committee will be subject to the responsibilities regime established in article 108 of the Constitution.

Relating to the preceding paragraph, confidentiality, secrecy, reservation of information obligations will be applicable to them, as well as any other applicable obligations relating to the information they may have access to in the digital platforms of the Executive Secretariat and any other reserved and confidential information.

Gender equality shall be intended in the composition of the Social Participation Committee.

Article 18. The members of the Social Participation Committee will be appointed in accordance with the following procedure:

- I. The Senate will integrate a selection Commission composed of nine Mexican citizens, for a term of three years, as follows:
 - a) It will call higher education and research institutions to propose candidates in order to integrate the selection Commission, who shall submit documents that accredit the profile requested in the call for proposals, within a term of fifteen days, to select five members based on the decision elements indicated in the call for proposal, taking into account their outstanding contributions on the subject of audit, accountability and combat against corruption.
 - b) It will call private social organizations specialized in the subject of audit, accountability and combat against corruption to select four members, in the terms above.

The assignment as member of the selection Commission will be honorary. The individuals acting as members may not be appointed as members of the Social Participation Committee for a term of six years from the dissolution of the selection Commission.

- II. The selection Commission shall issue a call in order to perform an ample national public consultation addressed to society as a whole, to submit their candidates to the assignment.

For this purpose, it shall define a methodology, timeframe and selection criteria for the members of the Social Participation Committee, and shall publish them, taking into account at least the following characteristics:

- a) The method of registration and evaluation of the candidates;
- b) Publishing of the list of candidates;
- c) Publishing of the documents delivered for registration, in their public versions;
- d) Publishing of the hearings' schedule;



- e) Public hearings may be held, inviting researchers, academics and private social organizations, specialized in the subject, and
- f) The term determined to make the appointment, which shall be established by a majority vote among its members in a public meeting.

In case unforeseen vacancies exist, the selection process for a new member may not exceed the limit of ninety days and the selected citizen shall hold the assignment for the vacancy's remaining term.

Article 19. The members of the Social Participation Committee will hold the representation before the Coordinating Committee in a rotating manner, in accordance with their seniority in the Social Participation Committee.

In case of a temporary absence of the representative, the Social Participation Committee will appoint among its members a substitute for the time of his or her absence. This substitution may not last more than two months. In case the absence spans for a longer term, the member who would hold the following annual term will act as substitute for a maximum term of two months, and so on.

Article 20. The Social Participation Committee shall meet, prior summons from its President, when required on request by the majority of its members. Decisions will be reached by majority of vote among the present members and in case of a tie, the matter will be voted once more, and in case of a new tie, the matter will be postponed to the next meeting.

Article 21. The Social Participation Committee shall hold the following capacities:

- I. To approve its internal regulations;
- II. To prepare its annual work program;
- III. To approve the annual activities report prepared in compliance with its work program, which shall be made public;
- IV. To participate in the Executive Commission in the terms herein;
- V. To access without restriction, through the Technical Secretary, all information generated by the National System;
- VI. To give opinions and make proposals, through its participation in the Executive Commission, on national policy and integrated policies;
- VII. To propose to the Coordinating Committee, through its participation in the Executive Commission, for its consideration:
 - a) Interinstitutional and intergovernmental coordination projects on the subjects of public resources audit and control, prevention, control and dissuasion of administrative breaches and acts of corruption, especially on the causes that induce them;
 - b) Improvement projects for the instruments, guidelines and mechanisms for the operation of the National Digital Platform;
 - c) Improvement projects for the instruments, guidelines and mechanisms for the supply, exchange, organization and updating of the information generated by the competent institutions of the various government branches on the subjects of this Law;
 - d) Improvement projects for the instruments, guidelines and mechanisms for the operation of the report and complaint system;



- VIII. To propose the Coordinating Committee, through its participation in the Executive Commission, mechanisms for the participation of society in the prevention and report of administrative breaches and acts of corruption;
- IX. To keep a voluntary registry of private social organizations that wish to collaborate in a coordinated manner with the Social Participation Committee to establish a social participation network in accordance with its internal regulations;
- X. To give its opinion or make proposals, through its participation in the Executive Commission, on indicators and methodologies to measure and follow-up on the phenomenon of corruption, as well as on the evaluation of attainment of the objectives and goals of the national policy, the integrated policies and the programs and actions implemented by the authorities that compose the National System;
- XI. To propose articulation mechanisms among private social organizations, academics and citizens' groups;
- XII. To propose rules and procedures to receive petitions, requests and reports, founded and motivated, from private parties to the Federal Superior Audit Office, as well as to local superior audit offices;
- XIII. To give its opinion on the Coordinating Committee's annual work program;
- XIV. To provide comments, through its participation in the Executive Commission, on the annual report drafts of the Coordinating Committee;
- XV. To propose to the Coordinating Committee, through its participation in the Executive Commission, the issuance of non-binding recommendations;
- XVI. To promote collaboration with institutions specialized on the subject, to perform research on public policies to prevent, detect and fight corruption acts or administrative breaches;
- XVII. To follow-up on the operation of the National System, and
- XVIII. To propose mechanisms to the Coordinating Committee to facilitate the operation of existing social audit instances, as well as to directly receive the information issue by these instances and manners of social participation.

Article 22. The President of the Social Participation Committee shall hold the following capacities:

- I. To preside over the meetings;
- II. To act in behalf of said Committee before the Coordinating Committee;
- III. To prepare the agenda of the matters to discuss, and
- IV. To ensure follow-up on the matters of section III.

Article 23. The Social Participation Committee may request from the Coordination Committee the issuance of public formal requests when an act of corruption requires public explanation. The purpose of formal requests shall be to require information from competent authorities on the attention given to the matter at hand.



Chapter IV On the Executive Secretariat of the National Anticorruption System

Section I On its organization and operation

Article 24. The Executive Secretariat of the National System is an autonomous, non-sectorized agency, with its own legal existence and patrimony, enjoying technical and administrative autonomy, which will be located in Mexico City. It shall have an operation structure to execute its capacities, objectives and ends.

Article 25. The purpose of the Executive Secretariat is to act as a technical support body for the Coordinating Committee in order to provide technical assistance as well as the necessary supplies to perform its duties, in terms of section III of article 113 of the Mexican Constitution, and of this Law.

Article 26. The patrimony of the Executive Secretariat shall be composed of:

- I. Goods transferred by the Federal Government for the performance of its duties;
- II. Resources assigned to it annually in the corresponding Federal Expenditures Budget, and
- III. All other goods that may be transferred to it for any other reason.

Labor relationships between the Executive Secretariat and its employees are governed by article 123, section B, of the Mexican Constitution.

Article 27. The Executive Secretariat will have an internal control body and its head will be appointed in terms of the Organic Law of the Federal Public Administration, and will be structured as stipulated by applicable law.

The internal control body will be limited in its capacities to the control and audit of the Executive Secretary only on the following subjects:

- I. Budget.
- II. Contracts arising from the laws of Acquisitions, Leasing and Services of the Public Sector, and Public Works and Related Services;
- III. Maintenance, use, destination, affectation, disposal and write-off of goods and real estate;
- IV. Administrative responsibilities incurred by Public Servants, and
- V. Transparency and access to public information, in accordance with the law on the subject.

The Ministry of Public Administration and the internal control body, as an exception to the provisions of article 37 of the Organic Law of the Federal Public Administration, may not execute audits or investigations aimed at the verification of any aspects different from those expressly stated in this article.

Article 28. The governing body will be composed by the members of the Coordinating Committee and presided by the President of the Social Participation Committee.

The governing body shall hold at least four ordinary meetings each year, and all extraordinary meetings deemed convenient to address the matters under its competence. Meetings will be summoned by its President or on proposal by four of its members.



The governing body may hold a valid meeting only when a majority of its members is present. Its decisions, resolutions and determinations will be always reached by a majority of votes of attending members; in case of a tie, the President shall have casting vote.

Those persons invited by the governing body through the Technical Secretary due to their experience on the subjects under its competence may participate with voice but not vote.

Article 29. The governing body shall hold the non-transferrable capacities provided for in articles 15, second paragraph, and 58 of the Federal Law on Decentralized Public Entities.

Also, it will hold the non-transferrable capacity to appoint and remove the Technical Secretary, by a qualified majority of five votes, in conformity with the stipulations of this Law.

Section II On the Executive Commission

Article 30. The Executive Commission will be composed of:

- I. The Technical Secretary, and
- II. The Social Participation Committee, with the exception of the member acting as its President at the time.

Article 31. The Executive Commission will be in charge of the generation of the necessary technical supplies for the Coordination Committee to perform its duties, and will prepare the following proposals to be submitted to the latter's approval:

- I. Integrated policies on the subjects of prevention, control and dissuasion of administrative breaches and acts of corruption, as well as public resources audit and control;
- II. The methodologies to measure and follow-up on phenomenon of corruption, as well as the integrated policies referred above, based on accepted and reliable indicators;
- III. Reports on the evaluations submitted to its consideration by the Technical Secretary relating to the policies referred in this article;
- IV. The mechanisms of supply, exchange, organization and updating of information on the subjects of public resources audit, and prevention, control and dissuasion of administrative breaches and acts of corruption;
- V. The basis and principles for an effective coordination between the authorities of the different government branches on the subject of public resources audit and control;
- VI. The annual report including progress and results of the exercise of its capacities and the application of policies and programs on the subject;
- VII. The required non-binding recommendations to be addressed to any authorities by virtue of the results of the annual report, as well as a follow-up report including the organized results of the attention paid by such authorities to the recommendations, and
- VIII. The coordination mechanisms with Local Systems;



Article 32. The Executive Commission will hold ordinary and extraordinary meetings summoned by the Technical Secretary in the terms stipulated by the Organic Statute of the Executive Secretariat.

The Executive Commission may invite specialists on the subjects at hand to its meetings, who will have voice but not vote, same that will be called by the Technical Secretary.

The members of the Social Participation Committee will not receive any additional consideration, different from that granted as members of the Social Participation Committee, for their activities as members of the Executive Commission, as stipulated in this Law.

The Executive Commission may issue the formal requests it deems necessary to the authorities composing the Coordinating Committee, within the scope of its capacities, through the Technical Secretary.

Section III On the Technical Secretary

Article 33. The Technical Secretary will be appointed and removed by the governing body of the Executive Secretariat, by favorable vote of five of its members. He or she shall hold office five years, without reelection.

To the effects of the preceding paragraph, the President of the governing body, prior approval by the Social Participation Committee, will submit to the latter a list of persons who comply with the requisites to be appointed as Technical Secretary, in conformity with this Law.

The Technical Secretary may be removed for non-compliance with its duties of diligence or for any fully justified cause in the governing body's opinion and by decision obtained by vote in the terms of this article, or in the following cases:

1. Using confidential documents and information relating to its capacities in terms of this Law and other laws on the subject, for his or her own benefit, or for the benefit of third parties,
2. Unduly extracting, destroying, hiding or using documents or information held under its care or custody due to its assignment, during the exercise of his or her capacities, and
3. Incurring any serious administrative breach or act of corruption.

Article 34. The following requisites shall be met to qualify for appointment as Technical Secretary:

- I. To be a Mexican citizen with full enjoyment of his or her civil rights;
- II. To have at least five years of verifiable experience on the subjects of transparency, evaluation, audit, accountability or anti-corruption actions;
- III. To be older than thirty-five on the date of appointment;
- IV. To hold a bachelor's degree, for a minimum of ten years on the date of his or her appointment, and to have the knowledge and experience related to the subject of this Law that allow him or her to perform his or her duties;
- V. To enjoy a good reputation and have not been convicted for any crime;
- VI. To submit his or her interests, patrimony and fiscal statements prior to his or her appointment;



- VII. Not have been registered as candidate or held any popular election position whatsoever during the four years preceding his or her appointment;
- VIII. Not to hold or have held a national or state governing position in any political party during the four years preceding his or her appointment;
- IX. Not have been a member, adherent or affiliate of any political party during the four years preceding his or her appointment, and
- X. Not to be a State Secretary, or Attorney General of the Republic or Prosecutor of any state, undersecretary or chief of staff in the Federal or state Public Administration, Head of the Government of the Federal District, Governor, or Secretary of any state government, member of the Council of Judicature, unless he or she left office at least one year prior to his or her appointment;

Article 35. The Technical Secretary is head of the Executive Secretariat, holding the capacities provided for in article 59 of the Federal Law on Decentralized Public Entities.

The Technical Secretary shall additionally perform the following duties:

- I. To act as secretary of the Coordinating Committee and the governing body;
- II. To execute and follow-up on the decisions and resolutions of the Coordinating Committee and the governing body;
- III. To prepare and certify the decisions made in the Coordinating Committee and the governing body, and the legal instruments originating from it, keeping the corresponding files in terms of applicable regulations;
- IV. To prepare drafts of methodologies, indicators and integrated policies to be discussed by the Executive Commission and, when applicable, submitted to the consideration of the Coordinating Committee.
- V. To propose to the Executive Commission those evaluations to be executed on the integrated policies referred in section V of article 9 of this Law, and execute them upon approval;
- VI. To perform the technical tasks for the preparation of documents to be delivered as decision proposals for the Coordinating Committee, the governing body and the Executive Commission.
- VII. To prepare the draft of the work schedule of the Coordinating Committee, the governing body and the Executive Commission;
- VIII. To prepare drafts of the National System's reports and submit them for verification and comment from the Executive Commission, and forward them to the Coordinating Committee for approval;
- IX. To perform specialized studies on subjects related to the prevention, detection and dissuasion of acts of corruption and administrative breaches, and public resources audit and control, by appointment of the Coordinating Committee;
- X. To manage the digital platforms to be established by the Coordinating Committee, in the terms of this Law, and ensure access by the members of the Coordinating Committee and the Executive Commission;

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- XI. To integrate the necessary information systems to publish the results of evaluations and show progress or setbacks in the national anticorruption policy, and
- XII. To provide the Executive Commission with the necessary supplies to prepare the proposals referred by this Law. To this purpose, he or she may request any pertinent information to perform the activities stipulated by this Law, ex officio or on request by the members of the Executive Commission.

Chapter V On Local Systems

Article 36. The laws of the states shall develop the integration, capacities and operation of the Local Systems, in the following terms:

- I. They shall have equivalent integration and capacities as those granted to the National System by this Law;
- II. They shall have access to the necessary, appropriate and timely public information for an optimal performance of their duties;
- III. The recommendations, public policies and reports issued by them shall be responded by the addressed public subjects;
- IV. They shall have proper capacities and procedures to follow-up on the recommendations, reports and policies they may issue;
- V. They shall deliver a public report to the heads of the powers, including anticorruption actions, identified risks, potential costs generated and the results of their recommendations. To this purpose, they shall follow the methodology issued by the National System;
- VI. The presidency of the Local System's coordinating instance shall correspond to the Social Participation Council, and
- VII. The members of the social participation councils of the states shall comply at least with the requisites provided for in this Law and be appointed by an analogous procedure as the one provided for the Social Participation Council.

TITLE THIRD ON THE NATIONAL AUDIT SYSTEM

Single Chapter About its organization and functioning

Article 37. The purpose of the National Audit System is to establish coordinating actions and mechanisms between its members, within the scope of their corresponding competences, to encourage information, ideas and experiences exchanges aimed at attaining progress in the development of public resources audit. The members of the National Audit System are:

- I. The head of the Federal Superior Audit Office;
- II. The Ministry of Public Administration;
- III. Local superior audit offices, and

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IV. The homologous ministries or instances in charge of internal control in the states.

Article 38. To comply with the object referred in the preceding article, the members of the National Audit System shall:

- I. Create an electronic system in terms of Title Fourth of this Law, which allows to enhance the coverage and impact of federal and local resources audit by the creation of a coordination model between the states, municipalities and Mexico City's councils, and
- II. Inform the Coordinating Committee on the progress attained in federal and local resources audit.

All auditing and audited public Entities shall assist at all times the National Audit System in the implementation of enhancements on federal and local resources audit.

Article 39. The National Audit System will have a Governing Committee integrated by the Federal Superior Audit Office, the Ministry of Public Administration and seven rotating members from the institutions referred in sections III and IV of article 37 of this Law, who shall be elected for a term of two years by consensus of the Ministry of Public Administration and the Federal Superior Audit Office.

The presidency of the Governing Committee will be held dually by the Federal Superior Auditor and the head of the Ministry of Public Administration, or by the representatives respectively appointed for this effects.

Article 40. To exercise the powers of the National Audit System on the subject of public resources audit and control, the Governing Committee shall execute the following actions:

- I. Design, approval and promotion of integrated policies on the subject;
- II. Instrumentation of coordination mechanisms between all the members of the System, and
- III. Integration and instrumentation of mechanisms to supply, exchange, organize and update information generated by the competent institutions on the subject of public resources audit and control.

Article 41. The Governing Committee of the National Audit System may invite Internal Control Organs or any other instances who perform public resources control, audit and revision duties to participate in specific activities of the National Audit System.

Article 42. The members of the National Audit System shall standardize the processes, procedures, techniques, criteria, strategies, programs and professional standards on the subject of audit and revision.

Also, the National Audit System shall approve the standardized professional standards applicable to audit activities, which will be mandatory for all its members.

Article 43. The members of the National Audit System will implement the measures approved by it to strengthen audit bodies and professionalize their personnel, in accordance with the guidelines issued by the Governing Committee for institutional improvement on the subject of audit, as well as arising from the specific rules included in the codes of ethics and other conduct guidelines.

To this end, the National Audit System will encourage the implementation of a coordinated training program to improve the professional qualifications of auditing personnel and enhance audit and revision results.



Article 44. The National Audit System will encourage information exchange that supports the development of their corresponding duties, in accordance with the stipulations of Title Fifth of this Law.

Article 45. The members of the National Audit System, within the scope of their corresponding duties and competences, will:

- I. Identify common audit and revision areas to contribute to the definition of their corresponding annual work programs and their compliance in a coordinated manner;
- II. Review legal stipulations that regulate their actions to make improvement proposals when applicable that allow a higher impact against corruption, and
- III. Prepare and adopt a frame of reference including general criteria for the prevention, detection and dissuasion of acts of corruption and incorporating the best practices to encourage transparency and accountability in governmental management.

Article 46. To strengthen the National Audit System, its members shall follow these guidelines:

- I. Attaining an effective coordination of activities;
- II. Institutional strengthening;
- III. Avoiding redundancies or omissions in the activities of the audit bodies, in an environment of professionalism and transparency;
- IV. Providing a better coverage of public resources audit, and
- V. Including relevant information in audit and revision reports, using a simple and accessible language, that contributes to public decision making and the enhancement of governmental management, and allowing the common citizen to become aware of the way his or her tax money is used, as well as the most ample broadcasting of audit results.

The Governing Committee of the National Audit System will be in charge of issuing the regulations for its operation.

Article 47. The members of the National Audit System will hold ordinary meetings every six months and extraordinary meetings as needed, in order to follow-up on the attainment of the objectives and actions stipulated in this Law and in any other applicable laws. To this purpose, they may use any virtual presence tools they may deem pertinent.

TITLE FOURTH NATIONAL DIGITAL PLATFORM

Single Chapter On the National Digital Platform

Article 48. The Coordinating Committee will issue the basis for the operation of the National Digital Platform that enables compliance with the procedures, obligations and stipulations stated in this Law and the General Law on Administrative Responsibilities, as well as of the entities subject of this Law, paying attention to the users' access needs.

The National Digital Platform will be managed by the Executive Secretariat, through its Technical Secretary, in the terms of this Law.



Article 49. The National Digital Platform of the National System will be composed of the information incorporated to it by the member authorities of the National System and will include at least the following electronic systems:

- I. Patrimony evolution, interests statement and fiscal statement submission certificate system;
- II. Public Servants involved in public acquisition procedures system;
- III. National punished public servants and private parties;
- IV. National System and National Audit System's Information and communications system;
- V. Public administrative breaches and acts of corruption report system, and
- VI. Public Acquisitions Information System.

Article 50. The members of the National System and Local Systems will encourage the publishing of the information included in the platform, in an open data format, in terms of the General Law on Transparency and Access to Public Information and other applicable regulations.

The National System will establish the necessary measures to ensure the platform's stability and security, encouraging process standardization and ease of use of the electronic systems.

Article 51. The patrimony evolution and interests statement as well as Public Servants involved in public acquisitions procedures systems will operate in terms of the General Law on Administrative Responsibilities.

The Public Acquisitions Information System shall have public information submitted by competent authorities to the Coordinating Committee on request, to exercise its duties and attain the objectives of this Law.

Article 52. The purpose of the national punished Public Servants and private parties system is to register any punishment imposed on Public Servants and private parties for incurring administrative breaches in terms of the General Law on Administrative Responsibilities and corruption acts in terms of criminal law, and such information shall be available to any authority with appropriate competence.

Article 53. Punishment imposed for administrative breaches will be made public when they include impediment or disqualification to hold Public Service positions or to be hired as service providers or contractors of the public sector, in terms of the General Law on Administrative Responsibilities.

Registry of all punishment relating to minor administrative breaches shall be kept in registry to the effects or possible relapse, but will not be made public.

Article 54. The National System and National Audit System's information and communications system will be the digital tool to enable centralization of all information pertaining to all their member bodies, including the federal, state and, eventually, municipality levels.

Article 55. The National Audit System information and communications system shall include, at least, the annual audit programs of the audit bodies of the three branches of government; the reports that shall be made public in terms of applicable law, as well as a database that enables a proper information exchange between the members of the National Audit System.

The operation of the system referred in this article will be subject to the basis issued by the Coordinating Committee relating to the National Digital Platform.



Article 56. The public administrative breaches and corruption acts report system will be established in accordance to the Coordinating Committee's indications and will be implemented by competent authorities.

**TITLE FIFTH
ON THE RECOMMENDATIONS BY THE COORDINATING COMMITTEE**

**Single Chapter
On recommendations**

Article 57. The Technical Secretary will request from the members of the Coordinating Committee all information deemed as necessary to integrate the annual report to be delivered by the Coordinating Committee, including recommendations drafts. It will also request from the superior audit entities and internal control bodies of Public Entities to deliver a detailed report on the percentage of initiated procedures that concluded with a final punishment and the corresponding indemnity amounts effectively collected during the reported term. These reports will be integrated as addenda to the annual report of the Coordinating Committee. Upon completion of the annual report, it will be submitted to the Coordinating Committee for approval.

The annual report referred above shall be approved within thirty days before the expiry of the presidency's annual term.

In those cases where recommendations arise from the annual report, the President of the Coordinating Committee shall instruct the Technical Secretary to deliver them to the addressed authorities within fifteen days from the approval of the report. Such authorities may request clarifications and explanations as they may deem pertinent relating to the contents of the recommendations within a term not exceeding thirty days.

Article 58. Non-binding recommendations issued by the Coordinating Committee of the National System to Public Entities will be public and institutional, and will be aimed at the strengthening of processes, mechanisms, organization, regulations, as well as to actions or omissions arising from the annual report delivered by the Coordinating Committee.

The recommendations shall be approved by the majority of the members of the Coordinating Committee.

Article 59. The recommendations shall receive founded and motivated response from the addressed authorities within a term not exceeding fifteen days from their reception, for both acceptance or rejection. In case of acceptance, specific actions to be taken in compliance shall be informed.

All information related to the issuance, acceptance, rejection, compliance and supervision of the recommendations shall be included in the annual reports of the Coordinating Committee.

Article 60. In case the Coordinating Committee deems that the measures to address the recommendation are not sufficiently justified, that the addressed authority did not perform the necessary actions for a proper implementation or when it omits the reports referred above, it may request any relevant information from such authority.

ARTICLE SECOND.

ARTICLE THIRD.

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TRANSITORY

First. This Decree shall be effective on the next day after its publishing in the Official Gazette of the Federation, without prejudice of the stipulations of the following transitory articles.

Second. The Federal Congress and State Congresses, within the scope of their corresponding competences, shall promulgate the laws and make all regulatory adaptations in terms of the stipulations of this Decree within one year following this Decree's effective date.

Third. The General Law on Administrative Responsibilities will become effective on the day following this Decree's effective date.

Current legislation on the subject of Administrative Responsibilities, at federal and state levels, in force at the effective date of this Decree, will be applicable until the Law referred in this Transitory becomes effective.

Compliance with the obligations provided for in the General Law on Administrative Responsibilities will be enforceable, as applicable, until the Coordinating Committee of the National Anticorruption System issues the guidelines, criteria and all corresponding resolutions under its competence, in conformity with the law on the subject.

Administrative proceedings initiated by federal and local authorities prior to the effective date of the General Law on Administrative Responsibilities shall be completed under the applicable stipulations in force at their starting dates.

Upon the effective date of the General Law on Administrative Responsibilities, any reference to the Federal Law on Administrative Responsibilities of Public Servants in federal and local laws, as well as in any legal stipulations, will be understood as referring to the General Law on Administrative Responsibilities.

While the General Law on Administrative Responsibilities is in force and the Coordinating Committee of the National Anticorruption System is in the process of defining the formats to submit patrimony and interests statements, public servants of all levels of government shall submit their statements using those formats valid at the federal level on the effective date of the General Law.

Upon the effective date of the General Law on Administrative Responsibilities, the Federal Law on Administrative Responsibilities of Public Servants and the Federal Anticorruption Law for Public Acquisitions will be repealed, and Titles First, Third and Fourth of the Federal Law on Public Servants Responsibilities, as well as any other stipulations that may oppose the provisions of the General Law on Administrative Responsibilities will be repealed.

Fourth. The National Anticorruption System General Law will become effective on the day following the publishing date of this Decree, without prejudice to the stipulations of the Third Transitory and the following paragraphs.

The Senate shall appoint the members of the Selection Commission within ninety days following this Decree's effective date.

The Selection Commission will appoint the members of the Social Participation Committee, in the following terms:

- a. One member that will hold office for one year, who will represent the Social Participation Committee before the Coordinating Committee.

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- b. A member who will hold office for two years.
- c. A member who will hold office for three years.
- d. A member who will hold office for four years.
- e. A member who will hold office for five years.

The members of the Social Participation Committee referred in the preceding subsections will hold the representation before the Coordinating Committee in a rotative manner and in the same order.

The installation session of the Coordinating Committee of the National Anticorruption System will be held within a term of sixty calendar days following the full integration of the Social Participation Committee in the terms stipulated above.

The Executive Secretariat shall begin operations no later than sixty days following the installation session of the Coordinating Committee of the National Anticorruption System. To this effects, the Federal Executive shall provide the corresponding human, financial and material resources in terms of applicable regulations.

Fifth. The Organic Law of the Federal Court of Administrative Justice will become effective on the day following the publishing date of this Decree, without prejudice to the stipulations of the Third Transitory and the following paragraphs.

Upon the effective date of the Law referred in this Transitory, the Organic Law of the Federal Court of Fiscal and Administrative Justice, published in the Federal Official Gazette on December six, two thousand seven, is repealed.

The Internal Regulation of the Court in force upon the effective date of this Law will remain applicable on all matters that do not oppose this Law, until the General Plenary issues a new Internal Regulation in the terms provided for in this Law, which shall be issued within a term of ninety days from the effective date of this Law.

Public servants that were exercising administrative positions that disappear or are modified in terms of this Law, will continue to hold such offices until the Governance and Administration Body decides the creation of the new administrative bodies and decides on the corresponding appointments by specific decisions.

The Magistrates of the Federal Court of Fiscal and Administrative Justice that upon the effective date of this Law are exercising their positions, shall remain until the expiry of the term for which they were appointed, in the terms of the Law being repealed. At the end of said term they shall submit the Magistracy, without prejudice that the Court may propose them, prior evaluation of their performance and incase of being eligible, to me appointed as Magistrates in the terms of this Law.

Those trials initiated prior to the effective date of the Organic Law of the Federal Court of Administrative Justice and those starting before the effective date of the General Law on Administrative Responsibilities will continue their proceedings until their final resolution, in the terms of applicable stipulations in force at their starting date.

For the appointment of Magistrates integrating the Third Section and the Specialized Chambers on the subject of Administrative Responsibilities, the Federal Executive shall submit its proposals to the Senate no later than the ordinary Sessions Period of Congress immediately preceding the effective date of the General Law on Administrative Responsibilities.

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Those Magistrates referred in the preceding paragraph will maintain their jurisdiction on the Third Section and Specialized Chambers on the subject of Administrative Responsibilities, at least during the first five years of exercise of their appointment. The preceding, without prejudice that the Magistrates may remain in said jurisdictions during their full term, in accordance with the stipulations of section VII of article 16 of the Organic Law of the Federal Court of Administrative Justice.

Upon the effective date of the General Law on Administrative Responsibilities, the Court will hold five Specialized Chambers on the subject of Administrative Responsibilities, in accordance with the stipulations of article 37 of the Organic Law of the Federal Court of Administrative Justice and until, at least, the Plenary exercises the power referred in section XI of article 16 of the Organic Law of the Federal Court of Administrative Justice promulgated by virtue of this Decree.

To the effects of article 52 of the Federal Court of Administrative Justice Organic Law, the President of the Federal Court of Fiscal and Administrative Justice may not be appointed as President of the Federal Court of Administrative Justice for the term immediately following his or her term.

All references to the Federal Court of Administrative and Fiscal Justice found in the laws shall be understood as referring to the Federal Court of Administrative Justice.

Mexico City, July 6, 2016 - Senate **Roberto Gil Zuarth**, President.- Deputies **José de Jesús Zambrano Grijalva**, President.- Senate **Hilda Esthela Flores Escalera**, Secretary.- Deputies **Juan Manuel Celis Aguirre**, Secretary.- Initials.”

In compliance with the provisions set forth in section I of Article 89 of the Mexican Constitution, and for its due publication and observance, I hereby issue this Decree in the Official Residence of the Federal Executive Branch, in Mexico City on July eighteen, two thousand sixteen.- **Enrique Peña Nieto**.- Initials.- The Secretary of the Interior, **Miguel Ángel Osorio Chong**.- Initials.

I, Luz María Romo Castro, Expert Translator duly authorized by the Supreme Court of Justice of the Federal District as published in the Official Gazette dated October 14, 2015 certify that the above translation into English in 21 pages is to the best of my knowledge and belief a true and correct translation of its original.

Mexico City, December 1, 2017

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