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POLITICAL CONSTITUTION OF THE UNITED MEXICAN STATES

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:

(Amended by decree published on October 15, 2012)

I. About constitutional disputes, except for those referring to electoral matters, between:

- a) The Federal Government and one state or the Federal District;
- b) The Federal Government and one local council;
- c) The President of the Republic and the Congress of the Union; the President of the Republic and any of the Houses; or as the case may be, the Permanent Committee, either as federal agencies or of the Federal District;
- d) Two States;
- e) One State and the Federal District;
- f) The Federal District and one local council;
- g) Two local councils and several States;
- h) Two powers belonging to the same State about the constitutionality of their acts or general provisions;

i) A State and one of its local councils, about the constitutionality of their acts or general provisions;

j) A state and a local council belonging to another state, about the constitutionality of their acts or general provisions;

k) Two government agencies of the Federal District about the constitutionality of their act or general provisions, and

(Amended by decree published on February 7, 2014)

(Added by decree published on June 11, 2013)

l) Two independent constitutional bodies, among them the Executive Branch of the Union or the Congress of the Union about constitutionality of the acts and general provisions. The provision in this section will be applicable to the guarantor body specified in article 6th of the Constitution.

The rulings taken by the Supreme Court of Justice, by a majority of eight votes, 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 which have 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 actions directed to raise a contradiction between a general regulation and this constitution.

Unconstitutionality actions shall be initiated within the 30 days after publication of the regulation, they shall be initiated by:

a) The equivalent of thirty-three percent of the members of the House of Representatives of the Congress of the Union against federal laws or Federal District laws enacted by the Congress of the Union;

b) The equivalent of thirty-three percent of the members of the Senate against federal laws or Federal District laws enacted by the Congress of the Union or international treaties signed by the Mexican State;

(Amended by decree published on February 10, 2014)

c) The Federal Executive through the Government's Legal Adviser, against federal and state general laws;

d) The equivalent of thirty-three percent of the members of a state legislature, against laws enacted by such state legislature;

e) The equivalent of thirty-three percent of the members of the Representative Assembly of the Federal District against laws enacted by such Assembly.

(Amended by decree published on February 10, 2014)

f) The political parties duly registered before the National Electoral Institute, through their national leaders and against federal or local electoral laws; also, the state registered political parties, through their leaders, only against electoral 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, state and Federal District laws, as well as against international treaties signed by the President of the Republic and approved by the Senate of the

Republic, which break human rights established in this Constitution and international treaties of which Mexico is part of. Also, unconstitutionality actions can be initiated by the state human rights agencies, against laws issued by the state legislature and the Human Rights Commission of the Federal Districts against laws enacted by the Legislative Assembly of the Federal District;

(Added by decree published on February 7, 2014)

h) The guarantor body stated on article 6 of this Constitution against the federal, local and Federal District laws, as well as international treaties signed by the President of the Republic and approved by the Senate of the Republic that breach the right to access public information and personal data protection. Also, equivalent states guarantor bodies against laws enacted by local state legislatures and the Federal District guarantor body, against laws enacted by the Federal District Legislative Assembly.

(Added by decree published on February 10, 2014)

i) The Attorney General regarding federal and state criminal and procedural criminal laws, as well as those related to their duties;

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 ninety 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.

(Amended by decree published on February 10, 2014)

III. By its own motion, or by motion justified and submitted by the corresponding Unitary Circuit Court of the Federal Executive, or by the Legal Adviser of the Government, as well as the Attorney General of the Republic on cases involving the Public Prosecutor's Office, 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 fractions 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 fractions I and II of this article, the procedures established in Article 107, the first two paragraphs of the fraction XVI, of this Constitution shall be applied.

**STATUTORY LAW OF FRACTIONS I AND II OF ARTICLE 105 OF
THE POLITICAL CONSTITUTION OF THE UNITED MEXICAN
STATES**

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TRANSITORY

This Law is a true and complete copy of the publication in the Official Gazette of the Federation on January 27, 2015.

Law published on the First Section of the Official Gazette of the Federation on Thursday, May 11, 1995.

Updated by reform acts published on January 27, 2015.

In the margin it contains a stamp with the National Seal, which reads: United Mexican States.- Presidency of the Republic.

ERNESTO ZEDILLO PONCE DE LEON, Constitutional President of the United Mexican States hereby announces to the inhabitants of the country that:

The Honorable Congress of the Nation has addressed to me the following

D E C R E E

"THE GENERAL CONGRESS OF THE MEXICAN UNITED STATES HEREBY DECREES:

THE STATUTORY LAW OF FRACTIONS I AND II OF ARTICLE 105 OF THE POLITICAL CONSTITUTION OF THE UNITED MEXICAN STATES

TITLE I General Provisions

Article 1. The Supreme Court of Justice of the Nations shall hear and resolve, based on the provisions of this Title, constitutional controversies and unconstitutionality actions referred to in fractions I and II of Article 105 of the Political Constitution of the United Mexican States. In the absence of an express provision, the Federal Code of Civil Procedure shall apply.

Article 2. The days considered by the Organic Law of the Federal Judicial Branch as working days will also be considered as such for the purpose of this law.

Article 3. Time limits shall be calculated according to the following rules:

I. Time limits shall start the day after notification comes into effect, and shall include the day of expiration;

II. Only working days shall count, and

III. Time limits shall not run during recess periods or when activities in the Supreme Court of Justice of the Nation are suspended.

Article 4. Resolutions shall be served the day after pronounced and published in list or motion served in the address of the parties by the court clerk or certified mail with acknowledgment of receipt. In urgent cases service may be by telegraph.

Notifications to the President of the United Mexican States shall be served to the Secretary of the State or Head of the Administration who are responsible for the matter, or the Legal Adviser, considering the competences provided in the law.

The parties may appoint one or several persons to hear notifications, file records and receive copies of notice.

Article 5. The parties are required to receive notifications sent to their offices, address or site where located. In the event that notifications are served by a court clerk, the name of the person receiving shall be registered and if the person denied signing or receiving the document, notification will be deemed as legally served.

Article 6. Notifications shall become effective after the day when legally served.

Notifications that were not served as provided in this title shall be void. After declared void, a one to ten days fine shall be imposed to the responsible party, in case of relapse the responsible party will be removed from office.

Article 7. Actions or petitions of conclusion shall be presented to the General Clerk of Court or to the person appointed by the latter.

Article 8. When the parties live outside the place of residence of the Supreme Court of Justice of the Nation, petitions of conclusion shall be deemed as presented on time if said documents or motions are deposited within the legal deadlines at the post offices through certified mail with acknowledgment of receipt, or if sent from the same corresponding telegraphs office. In said cases, promotions will be deemed as presented on the date in which they were deposited in the post office or sent from the telegraph office, as the case may be, as long as said offices are located in the place of residence of the parties.

Article 9. Fines considered in this law shall be imposed in salary days, using as the base the general minimum effective salary at the Federal District at the time when said sanctioned behavior was committed.

(Added by decree published on April 2, 2013)

Article 9 Bis. On an exceptional basis and only in case of urgency and complying with the social interest or law and order, the Chambers of the Congress of the Union, through their presidents or the Federal Executive, through the Legal Counselor, may request the President of the Supreme Court of Justice of the Nation that constitutional disputes or unconstitutionality actions be processed and resolved as a matter of priority, without modifying in any way the deadlines provided in the law.

The urgency in terms of this article shall be justified when:

- I. In case of constitutional disputes or actions of unconstitutionality promoted to defend vulnerable groups in terms of the law.
- II. In case of constitutional disputes or actions of unconstitutionality in matters of economic competition, monopolies and free market participation
- III. Preventing irreversible damage to the ecologic balance in said constitutional disputes or actions of unconstitutionality.
- IV. In the cases in which the Plenary of the Supreme Court of Justice of the Nation considers appropriate.

After receiving the request, the President of the Supreme Court of Justice of the Nation will submit it for consideration to the Plenary, which shall provide final resolution by simply majority. The resolution shall include the rulings that result necessary.

TITLE II
Constitutional Disputes

CHAPTER I
The Parties

Article 10. The parties in constitutional disputes are:

- I. The plaintiff is the entity, power or body that promotes the dispute;
- II. The defendant is the entity, power or body that had issued and brought the general rule or pronounced the act object of the dispute;
- III. The third interested party, parties are the entities, powers or bodies referred to in fraction I, Article 105 of the Political Constitution of the United Mexican States, who without being the plaintiffs or defendants may result impacted by the judgment pronounced, and
- IV. The Attorney General of the Republic.

Article 11. The plaintiff, the defendant and, where applicable, the third interested party shall appear in court through the officials who, in terms of their governing rules are empowered to represent them. In any case, whoever appears in court will be assumed has legal representation and has the capacity to do so, unless otherwise proven.

No other form of representation different from the one stated in the above paragraph shall be accepted at constitutional disputes; However, by court's motion delegates may be appointed to make submissions, attend hearings and present evidence, to put forward their pleas and initiate ancillary proceedings and recourses considered in this law.

The President of the Mexican United States shall be represented by the Secretary of the State, by the head of the Administration department or by the Legal Counselor of the Government as determined by the President, and considering for such purposes the competences established in the law. Accreditation of public servants' personality and substitution shall be done according to the corresponding provisions in the laws or internal regulation.

CHAPTER II

Ancillary Proceedings

SECTION I

General ancillary proceedings

Article 12. Special ruling ancillary proceedings are void notifications, court order replacement and forgery of documents. Any other ancillary proceeding that arises in court, with the exception to the suspension, will be decided in the final judgment.

Article 13. Special ruling ancillary proceedings may be promoted by the parties before the trial minister before the judgment is delivered.

In the case of court order replacements, the trial minister shall certify the previous existence and the later lack of the file, being empowered to carry out the investigations that are not contrary to law.

Ancillary proceedings shall be processed in a hearing where the trial minister shall receive the evidence and pleadings from the parties and shall issue the corresponding decision.

SECTION II

Suspension

Article 14. In the cases of constitutional disputes, the instructing minister, by his/her own motion or by request of one of the parties, may grant the suspension of the action leading to them until final judgment is pronounced. Suspension shall be granted based on the elements provided by the parties or collected by the trial minister under the terms of article 35, as applicable.

The suspension may not be granted in those cases in which the dispute had been over general rules.

Article 15. Suspension may not be granted in the cases where national security or economy, the Mexican legal order fundamental institutions are endangered or may seriously impact the society in a larger proportion than the benefits that could be obtained by the petitioner.

Article 16. Suspension shall be processed by incidental proceeding and may be requested by the party at any time before final judgment is delivered.

Article 17. Before final judgment is pronounced, the trial minister may modify or revoke the motion for suspension he/she had pronounced, as long as a newly-discovered supporting fact had occurred.

If the suspension had been granted by the Plenary of the Supreme Court of Justice of the Nation when resolving the appeal provided in article 51, the trial minister shall submit the newly discovered facts that support the modification or revocation of the suspension to the consideration of the Plenary to resolve accordingly.

Article 18. In order to grant a suspension, the circumstances and specific characteristics of the constitutional dispute shall be taken into consideration. The court ruling or interlocutory that grants it shall

specify the scopes and effects of said suspensions, the bodies obliged to comply, suspended actions, the territory of operation, the effective date and, as applicable, requirements to be effective.

CHAPTER III Inadmissibility and Dismissal

Article 19. Constitutional disputes are inadmissible:

- I. Against decisions of the Supreme Court of Justice of the Nation;
- II. Against general rules or acts on electoral matters;
- III. Against general rules or acts that are the subject matter of a pending to resolve dispute, as long as there is identity of the parties, general rules or acts and invalidity concepts;
- IV. Against general rules or acts that had been the subject matter of a final judgment pronounced in another dispute, or against resolutions pronounced for its execution, as long as there is identity of the parties, general rules or acts and concepts of invalidity, in the cases referred to in article 105, fraction I, last paragraph, of the Political Constitution of the United Mexican States;
- V. When the effects of the general rule or subject act of the dispute had stopped;
- VI. When the legal route provided for the solution of the conflict had not been exhausted;
- VII. When the action was presented outside the deadlines provided in article 21, and

VIII. In other cases where inadmissibility results from any provision of this law.

In any case, inadmissibility causes shall be examined by court's motion.

Article 20. Dismissal shall proceed in the following cases:

(Errata published on May 19, 1995)

I. When the plaintiff expressly withdraws the action filed against acts, without being able in no case to do so in case of general rules;

II. When during the trial an inadmissibility cause referred to in the previous article appeared or was recently discovered;

III. When it is clearly shown in the acts of proceeding that there is no rule or act matter of the dispute, or when the existence of the latter had not been proved; and

IV. When both parties agree that said act matter of the dispute had ceased to exist, and in no case said agreement may fall on general rules.

CHAPTER IV Action and Defense

Article 21. The time limit to file the action shall be:

I. In the case of acts, thirty days after the next day in which according to the law of the act, the notification of the resolution or claimed ruling becomes effective; they were known about or its execution; or when the plaintiff is aware of them;

II. In the case of general rules, thirty days after the next day of publication, or the day after the first application action of the standard arising the dispute takes place, and

III. In the case of conflict of limits different to those provided in article 73, fraction IV, of the Political Constitution of the United Mexican States, sixty days after the entry into force of the general rule or the performance of the action that originates them.

Article 22. the statement of action shall indicate:

I. The entity, power or acting body, its address and name and position of the representing civil servant;

II. The entity, power or defendant body and its address;

III. Entities, powers or third party bodies, if any, and their addresses;

IV. The general rule or claimed invalidity action, as well as, where applicable, the official media where published;

V. Constitutional precepts that, as the case may be, are considered breached;

VI. The statement of facts or abstention the plaintiff is certain of and that constitute the background of the general rule or action of the claimed invalidity, and

VII. The invalidity concepts.

Article 23. The statement of defense for the action shall include at least:

I. The detailed list of every single fact described by the plaintiff, confirming, denying or ignoring them because they are not right or explaining how they occurred, and

II. The reasons or legal bases considered pertinent to hold the validity of the corresponding general rule or act.

CHAPTER V

The Trial

Article 24. After receiving the action, the President of the Supreme Court of Justice shall appoint, accordingly, a trial minister to set the process for resolution.

Article 25. The trial minister shall examine the statement of the action and if expressed and unquestionable inadmissibility reason was found, he/she shall reject it outright.

Article 26. After admitting the action, the trial minister shall issue a summon order to respond within a thirty days' period, and shall notify the other parties to state, within the same time frame, what they considered to be in their best interest.

When responding to the action, the defendant may, as the case may be, file a counterclaim against the plaintiff, applying for that effect the provision of this law for the original action and defense.

Article 27. The plaintiff may amend the action within fifteen days after the defense's response if in the latter there was a new fact, or until before the closing date of the trial if a newly-discovered fact appeared. The amendment to the action and the answer shall be processed according to the provisions for original action and defense.

Article 28. If the statement of the action, the defense, counterclaim or amendment were uncertain or irregular, the trial minister shall inform the plaintiffs to correct the irregularities within a five days' period.

If said requested irregularities were not corrected, and to the judgment of the instructing minister, the importance and transcendence of the case calls for it, the General Attorney of the Republic shall be notified for five days, and according to his/her motion, the action shall be admitted or dismissed within the next forty-eight hours.

Article 29. After the period to answer the action had expired and, as applicable, the amendment or counterclaim, the trial minister shall appoint the date for hearing of evidence which shall take place within the next thirty days. The trial minister may extend the period to hold the hearing when the importance and transcendence of the case call for it.

Article 30. In case of not answering the action or, where appropriate, the counterclaim within the respective time frame, the facts appointed therein shall be deemed true, unless proven otherwise, as long as the facts are directly charged to the plaintiff or the defendant, as the case may be.

Article 31. The parties may present any type of evidence, except for positions and those contraries to the law: In any case, the trial minister will be responsible for rejecting outright the evidence not related to the dispute or that do not impact the final judgment.

Article 32. Evidence may be presented at the hearing, except for documents, which may be presented in advance, without prejudice of it being referenced at the hearing and it is perceived as received in that context, even when there is not expressed management from the interested party.

Testimonial, expert and visual inspection evidence shall be announced ten days before the hearing, with the exception of the latter and the offering of evidence, showing a copy of the witness interrogation and the questions for the experts thus the parties can cross-examine during the hearing. In no case more than three witnesses will be accepted per fact.

When promoting the expert evidence, the trial minister shall appoint the expert or experts considered suitable for the diligence. Each party may also appoint an expert to partner with the expert appointed by the trial minister or to provide his expert opinion separately. Experts are not objectionable, but the expert appointed by the trial minister shall excuse himself from knowing when any of the impediments referred to in the Organic Law of the Federal Judicial Branch occurs.

Article 33. For the parties to be able to present evidence, all authorities are obliged to issue on time the copies or documents requested, otherwise they shall ask the trial minister to ask the ignoring authority. If in spite of said request, the copies or documents were not issued, the instructing minister, at the request of one of the parties shall use coercive measures and report the ignoring authority for disobedience to his/her order.

Article 34. Hearings shall be held with or without the attendance of the parties or their legal representatives. Once the hearing is open, the parties shall present, first the evidence and then the arguments in writing.

Article 35. At all times, the trial minister may order evidence for a best-provide, setting for that effect a date for presentation. Likewise, the minister may require the parties to provide reports or clarification considered necessary for a best case resolution.

Article 36. After the hearing has finished, the trial minister will submit the respective draft resolution to the Tribunal under the terms provided in the Organic Law of the Federal Judicial Branch.

Article 37. The Supreme Court of Justice of the Nation, to the request of any of its members may, according to the general rulings, agree postponement of the resolution of Amparo trials in the court, until the constitutional dispute is resolved as long as the challenged regulations in ones and others are the same. In this case, the expiration limit considered in Article 74, fraction V of the Amparo law shall not apply.

Article 38. Accumulation of disputes shall not proceed, however, when there is connection between two or more of them and their procedural status allows for it, they may be resolved in the same session.

CHAPTER VI

Judgments

Article 39. When passing judgment, the Supreme Court of Justice of the Nation shall correct the errors noticed in the quotes of precepts mentioned and shall examine as a whole the parties' reasoning in order to effectively resolve the issue raised.

Article 40. In all cases the Supreme Court of Justice of the Nation shall remedy any deficiency in the action, defense, pleadings or grievances.

Article 41. Judgments shall include:

I. A brief and specific setting of general rules and acts subject of the dispute and, where appropriate, the assessment of relevant evidence to consider them proved or not;

II. The underlying precepts;

III. The considerations that support their sense, as well as the precepts considered breached;

IV. The scopes and effects of the judgment, specifying, where appropriate, the bodies obliged to comply with it, the general rules or operating acts and any element necessary for the full efficacy within the corresponding environment. When the judgment declares invalidity of a general rule, its effects shall extend to all rules of which validity depends upon the invalidated rule.

V. Operative paragraphs that determine dismissal or declare validity or invalidity of general rules or challenged acts, and where appropriate, the respective acquittal or conviction, setting the term for compliance of the proceedings stated;

VI. Where appropriate, the terms in which the party found against shall take action.

Article 42. As long as disputes are about State or Local Council general provisions challenged by the Federation, Local Council provisions challenged by the States, or in the cases referred to in sections c), h) and k) of fraction I of Article 105 of the constitution and the resolution of the Supreme Court of Justice declares the invalid, said resolution shall have general effects when approved by a majority of at least eight votes.

In disputes regarding general rules where the voting mentioned in the above paragraph is not reached, the Supreme Court of Justice sitting en banc shall declare said disputes dismissed. In these cases, provisions in the next article will not be applicable.

In all other cases resolutions shall have effects only regarding the parties in the dispute.

(Amended by decree published on April 2, 2013)

Article 43. The reasons in the conclusions of law that establish the operative paragraphs of the judgment approved by at least eight votes, shall be mandatory for the Chambers, Circuit Plenaries, single-judge courts and circuit collegiate, district courts, military, agrarian and State and Federal district common order judicial courts, administrative-law and labor courts either federal or local.

Article 44. After the judgment has been pronounced, the President of the Supreme Court of Justice of the Nation shall order to serve the parties and order a full publication at the Judicial Journal of the Federation, together with the dissenting votes formulated.

When the judgment declares invalidity of general rules, the President of the Supreme Court of Justice of the Nation shall order also to include it in the Official Gazette of the Federation and in the official body where such rules had been published.

Article 45. Judgments shall become effective at the date provided by the Supreme Court of Justice of the Nation.

The declaration of invalidity of the judgments shall not have retroactive effects, except on criminal matters where general principles and legal provisions applicable to this matter shall rule.

CHAPTER VII

Execution of Judgment

Article 46. The parties found against shall inform in the period given in the judgment, the compliance of the latter, to the President of the

Supreme Court of Justice of the Nation who shall decide if it has been properly fulfilled.

At the end of the period laid down in the judgment for compliance of any performance if none had occurred, the parties may ask the President of the Supreme court of Justice of the Nation to request the bounded party to immediately report on compliance. If within forty-eight hours after served on said requirement the court order was not executed, when the nature of the requirement does allow so, there was no execution route found or compliance was avoided, the President of the Supreme Court of Justice of the Nation shall turn the case to the reporting minister to submit to the Plenary the draft to apply the last paragraph of article 105 of the Political Constitution of the United Mexican States.

Article 47. When any authority applies a general rule or act declared invalid, any of the parties may report the fact before the President of the supreme Court of Justice of the Nation, who shall notify the authority appointed as responsible, to repeal the claim act within fifteen days or to plead according to law.

If at the previous cases the authorities do not repeal the corresponding acts, the President of the Supreme Court of Justice of the nation shall turn the case to the Reporting Minister to, in the view of the pleadings, if any, submit to the Tribunal the respective resolution for this matter. If the Plenary declares that there is a repetition or misapplication of a general rule or act declared invalid, it shall be ordered to comply with the provision of the last paragraph of Article 105 of the Political Constitution of the United Mexican States.

(Added by decree published on April 2, 2013)

The person that is not part of the respective constitutional dispute, and that after the effects of a declaration of invalidity of a general rule

results affected with the application, may claim said motion of dissent with the procedure provided for such effect in the Regulatory Amparo Law, Article 103 and 107 of the Political Constitution of the United Mexican States.

Article 48. The provision of the previous Article shall be understood without prejudice to the President of the Supreme Court of Justice executing the corresponding final judgment pronouncing the provisions considered necessary.

Article 49. When in terms of Articles 46 and 47, the Supreme Court of Justice of the Nation filed charges on default enforcement or repetition of the invalidated act, district judges shall limit to sanction the facts of the charges under the terms provided by the federal criminal law for abuse of authority crimes.

If from the charges filed by the Supreme Court of Justice of the Nation, or during the aftermath of the criminal process, the possible commission of a crime different to the subject of the charges filed is presumed, the provisions in the final part of the second paragraph of Article 19 of the Political Constitution of the United Mexican States shall apply as well as the specific ordinances on the matter.

Article 50. No record may be filed without judgment complied or if the matter of execution had been exhausted.

CHAPTER VIII

Remedies

SECTION I

Claim

Article 51. The constitutional appeal of a summary nature shall proceed in the following cases:

I. Against court orders or resolutions that admit or dismiss an action, defense or its respective extensions;

II. Against court orders or resolutions that end the dispute or due to its transcendental or severe nature may cause a material grievance to any of the parties not repairable in the final judgment;

III. Against resolutions pronounced by the trial minister when resolving any of the ancillary proceedings provided in Article 12;

IV. Against court orders from the trial minister granting, denying, modifying or revoking the suspension;

V. Against court orders or resolutions of the trial minister admitting or dismissing evidence;

VI. Against court orders or resolutions of the President of the Supreme Court of Justice of the Nation that do not carried out the final judgment of the Plenary of the Superior Court of the Nation; and

VII. In the other cases those provided in this law.

Article 52. The constitutional appeal of a summary nature shall be promoted within five days expressing offenses and presenting evidences.

Article 53. The constitutional appeal of a summary nature shall be promoted before the President of the Supreme Court of Justice of the Nation who shall notify the other parties to assert their right according to law within five days. After that time, the President of the Supreme Court of Justice of the Nation shall turn the court orders to a minister

other than the trial minister, to prepare the resolution draft to submit to the Tribunal.

Article 54. When the constitutional appeal of a summary nature is file without grounds, the plaintiff or the representative, the attorney or both shall receive a fine from ten to twenty days of salary.

SECTION II

Complaint

Article 55. The remedy of complaint is admissible:

I. Against the plaintiff or any other authority, for breach, excess or default of the execution of the court order or resolution for which the suspension had been granted, and

II. Against the party found against for excess or default in the execution of a judgment.

Article 56. The remedy of complaint shall be filed:

I. In the cases of fraction I, Article 55, before the trial minister, until the dispute is ruled in the core, and

II. In the cases of fraction II of Article 55, before the President of the Supreme Court of Justice of the Nation within the next year of the notification to the interested party of the acts for which judgment was being executed, or after the entity or foreign power affected by the execution is aware of the latter.

Article 57. After the remedy has been admitted the authority which the remedy has been filed against shall be required to, within fifteen days, vacate the general rule or act that gave rise to the appeal or, to report and present evidence. The lack or deficiency of this report shall

establish the presumption of the fact alleged to be true, without prejudice of giving a fine of ten to one hundred and eighty days of salary.

At the end of the period laid down in the above paragraph and as long as the matter of the remedy exists, in the case of fraction I of the previous article, the trial minister shall set the date to hold the hearing within the next ten days in order to present evidence and submit comment in writing; for the case of fraction II, the President of the Supreme Court of Justice of the Nation shall turn the file to a trial minister for the same purpose.

Article 58. The trial minister shall draft the respective remedy and submit it to the Tribunal, which if found grounded, without prejudice of providing the necessary for the due fulfillment of the suspension or for the corresponding execution, shall establish in the remedy the following:

- I. If it is the case provided in fraction I of Article 55, that the responsible authority be sanctioned according to the terms established in the Criminal Code for the crime of abuse of authority, for the committed disobedience, regardless any other crime committed, and
- II. In the case referred to in fraction II of Article 55, the provision of the last paragraph of Article 105 of the Political Constitution of the United Mexican States shall be applied.

TITLE III

Action of Unconstitutionality

CHAPTER I

General Provisions

Article 59. Everything that is not found in this Title regarding the provision in Title II shall apply for actions of unconstitutionality

Article 60. The period to bring an action of unconstitutionality shall be thirty natural days after the next day of the date in which the law or international treaty being challenged is published in the corresponding official media. If the last day of the period was a non-working day, the action may be presented the next first working day.

(Added by decree published on November 22, 1996)

For electoral matters all days are working days.

Article 61. The action for which the action of unconstitutionality is brought shall include:

- I. Plaintiff's names and signatures;
- II. The legislative and executive bodies that had issued and passed the general rules being challenged;
- III. The general rule of which invalidity is claimed and the official media where published;

(Amended by decree published on January 27, 2015)

IV.- Constitutional precepts considered breached and, where appropriate, human rights enshrined in international treaties of which Mexico is part of and are considered breached; and

V. The concepts of invalidity.

Article 62. In the cases provided in sections a), b), d) and e) of fraction II of article 105 of the Political Constitution of the United Mexican States, the lawsuit in which the action is brought shall be signed by at

least thirty-three percent of the members of the corresponding legislative bodies.

The plaintiff, in the first instance, shall appoint as common representatives at least two of its members who will act jointly or separately during the proceeding and even after it has ended. If no common representatives are appointed, the President of the Supreme Court of Justice of the Nation shall do it by official notice. Common representatives may authorize delegates to make petitions, attend hearings and present evidence and put forward pleas, as well as to initiate incidental proceedings and file remedies provided in this law.

(Added by decree published on November 22, 1996)

Under the terms provided in section f) of fraction II of Article 105 of the Political Constitution of the United Mexican States, registered political parties through their national or state leaders, accordingly, shall be considered the plaintiffs in the proceedings for actions against electoral laws, in additions to those stated in fraction I of Article 10 of this law, and to whom the provisions of the first two paragraphs of article 11 of this same regulation shall be applied.

Article 63. The President of the United Mexican States shall be represented in the actions of unconstitutionality in terms of the third paragraph of article 11 of this law.

CHAPTER II

The Procedure

Article 64. After the procedure has been initiated, according to article 24, if the document where the action is brought was dark or irregular, the trial minister shall prevent the plaintiff or their common representatives to make the corresponding clarification within five days. After these five days, said minister shall notify the legislative

bodies who had passed it to, within fifteen days, provide a report indicating the reasons and bases to support the validity of the general rule challenged or the inadmissibility of the action of unconstitutionality. In the case of the Congress of the Union, every House shall separately present the report provided herein.

(Added by decree published on November 22, 1996)

In procedures for action against electoral laws, the deadlines referred to in the previous paragraph shall be respectively three days for clarification and six days to present the report with the reasons and bases that support the constitutionality of the law being challenged.

The admission of an unconstitutionality action shall not give rise to suspension of the questioned rule.

(Amended by decree published on November 22, 1996)

Article 65. In actions of unconstitutionality, the trial minister according to article 25 may apply the inadmissibility causes established in article 19 of this law with the exception of fraction II regarding the electoral laws, as well as the dismissal causes referred to in fractions II and III of Article 20.

The causes provided in fractions III and IV of Article 19 may only be applied when assumptions considered in them are presented regarding another action of unconstitutionality.

Article 66. With the exception of the cases in which the Attorney General of the Republic had brought the action, the trial minister shall notify in writing and with the reports referred to in the previous article, to put forward the corresponding request before the subpoena for the judgment.

Article 67. After presenting the reports considered in article 64 or after the period appointed for that has expired, the trial minister shall set the

file to the view of the parties so they can put forward their pleas within five days.

(Added by decree published on November 22, 1996)

When the action refers to electoral laws, the period appointed in the previous paragraph shall be two days.

Article 68. Before judgment is passed, the trial minister may request from the parties or whoever he/she considers appropriate, all those elements that to his/her judgment considers necessary for the best case resolution.

(Added by decree published on November 22, 1996)

When the action of unconstitutionality is filed against an electoral law, the trial minister may request the opinion of the Superior Chamber of the Electoral Court of the Federal Judicial Branch.

After the procedure has been exhausted, the trial minister shall propose to the Plenary of the Supreme Court of Justice of the Nation the draft judgment for the final resolution of the issue raised.

(Added by decree published on November 22, 1996)

In electoral cases, the draft judgment referred to in the previous paragraph shall be submitted to the Plenary within five days after the procedure had been exhausted, and the Plenary shall pronounce final judgment within five days after the trial minister had presented the draft.

Article 69. The President of the Supreme Court of Justice of the Nation, by court's motion or at the request of the party, may decree the accumulation of two or more actions of unconstitutionality as long as the same rule is being challenged in them.

When there is connection between actions of unconstitutionality, constitutional disputes and amparo proceedings, Articles 37 and 38 of this law shall apply.

Article 70. The remedy of claim considered in Article 52 shall only proceed against the trial minister motions that order inadmissibility or dismissal of the action.

(Added by decree published on November 22, 1996)

In electoral matters, the period to file a claim referred to in the previous paragraph shall be three days and the Supreme Court sitting en banc shall resolve outright within the next three days after filed.

CHAPTER III The Judgments

(The first paragraph was amended by decree published on January 27, 2015)

ARTICLE 71. When passing judgment, the Supreme Court of Justice of the Nation shall correct the errors found in the precepts invoked and shall replace the invalidity concept stated in the action. The Supreme Court of Justice of the Nation may ground the statement of unconstitutionality on the breach of any constitutional precept even if not invoked in the initial document. Likewise, the Supreme Court of Justice of the Nation may ground the statement of invalidity on the breach of human rights enshrined in any international treaty of which Mexico is part of, even if it was not invoked in the initial document.

(Added by decree published on November 22, 1996)

Judgement passed by the Supreme Court of Justice of the Nation about non-conformance of electoral laws to the Constitution may only refer to the breach of precepts expressly stated in the initial document.

Article 72. Resolutions of the Supreme Court of Justice may only declare the invalidity of the rules challenged if approved by at least eight votes. If not approved by the majority indicated, the Tribunal shall dismiss the action brought and order the file of the case.

(Added by decree published on April 2, 2013)

If after the entry into force of the declaration the general rule declared invalid was applied, the affected party may report said act of non-conformity with the procedure established for such purpose in the Amparo Law, Articles 103 and 107 of the Political Constitution of the United Mexican States.

Article 73. Judgments shall be governed by provisions in Articles 41, 43, 44 and 45 herein.

TRANSITORY

First.- this decree shall come into force 30 days after published in the Official Gazette of the Federation.

Second.- Constitutional and ordinary disputes pending for resolution at the entry into force of this decree shall be processed and resolved under the terms established in the provisions applicable at the time when presented.

Third.- Paragraphs two to four are repealed, even article 12 form the Tax Coordination Law, as well as all other legal and regulating provisions contrary to this law.

Fourth.- The Supreme Court of Justice of the Nation shall issue the general arrangements necessary for the due application of this law.

Mexico, Federal District, April 24, 1995.- Sen. Martha Lara Alatorre, President.- Rep. Anselmo García Cruz, President.- Sen. Juan Fernando Palomino Topete, Secretary.- Rep. Ricardo Fidel Pacheco Rodríguez, Secretary.- Signatures".

In accordance with the provisions of fraction I of Article 89 of the Political Constitution of the United Mexican States, and for due publication and compliance, I hereby issue this Decree in the residence of the Federal Executive Branch in Mexico, City, Federal District, on the day ten of May nineteen ninety-five.- Ernesto Zedillo Ponce de León.- Signature.- The Minister of Interior, Esteban Moctezuma Barragán.- Signature.

Transitory articles of reform acts to this Law.

**REFORM ACT PUBLISHED
IN THE OFFICIAL GAZETTE OF THE FEDERATION
ON NOVEMBER 22, 1996**

Article Two.- The first paragraph of article 65 is reformed. A second paragraph is added to Article 60; a third paragraph to Article 62; a second paragraph to Article 64, moving the existing text of the second paragraph down; a second paragraph to Article 67; a second and a fourth paragraphs to Article 68, moving the existing text of the second down; a second paragraph to Article 70; and a second paragraph to Article 71; all form the Regulatory Law of Fractions I and II of Article 105 of the Political Constitution of the United Mexican States.

TRANSITORY

First.- Reforms to the Regulatory Law of fractions I and II of Article 105 of the Political Constitution of the United Mexican States referred to in Article two of this decree, shall come into force the day after published in the Official Gazette of the Federation.

Second.- In accordance with the second paragraph of transitory Article two of the Reform act and additions to several articles of the Political Constitution of the United Mexican States, published in the Official Gazette of the Federation on August 22, 1996, the period to bring actions of unconstitutionality against federal and local electoral legislations issued before April 1, 1997 shall be fifteen natural days and shall be resolved outright and without further questions by the Supreme Court of Justice of the Nation without being subjected to the proceeding or periods appointed in Articles 64 to 70 of the law

reformed herein, within 15 working days after the submittal of the respective document.

**REFORM ACT PUBLISHED
IN THE OFFICIAL GAZETTE OF THE FEDERATION
EL April 2, 2013**

Article Three. Article 43 is reformed and Articles 9o Bis; 47, with a third paragraph; and 72, with a second paragraph of the Regulating Law of fractions I and II of Article 105 of the Political Constitution of the United Mexican States are added.

TRANSITORY

Single. This Decree shall come into force the day after published on the Official Gazette of the Federation.

Mexico, Federal District, March 20, 2013.- Rep. **Francisco Arroyo Vieyra**, President.- Sen. **Ernesto Cordero Arroyo**, President.- Rep. **Javier Orozco Gómez**, Secretary.- Sen. **Lilia Guadalupe Merodio Reza**, Secretary.- Signatures.

**REFORM ACT PUBLISHED
IN THE OFFICIAL GAZETTE OF THE FEDERATION
JANUARY 27, 2015**

Single article.- Articles 61, fraction IV and 71, first paragraph, of the Regulating Law of fractions I and II of Article 105 of the Political Constitution of the United Mexican States are reformed.

TRANSITORY

Single.- This Decree shall come into force the day after published on the Official Gazette of the Federation.

Mexico, Federal District, December 15, 2014.- Dip. **Silvano Aureoles Conejo**, President.- Sen. **Miguel Barbosa Huerta**, President.- Rep. **Javier Orozco Gómez**, Secretary.- Sen. **María Elena Barrera Tapia**, Secretary.- Signatures.