



TRIBUNAL ELECTORAL
del Poder Judicial de la Federación

General Law on Political Parties OF MEXICO

Law published on May 23, 2014

ELECTORAL TRIBUNAL OF THE FEDERAL JUDICIARY

General Law on Electoral Institutions and Procedures of Mexico

Law published on May 23, 2014

Electoral Tribunal of the Federal Judiciary

Translation by:

Mikaela Christiansson, Research Assistant, Electoral Judicial Training
Center of the Electoral Tribunal

Revision by:

Karolina Monika Gilas, Research Professor, Electoral Judicial Training
Center of the Electoral Tribunal

Carlos Alberto Soriano Cienfuegos, Head of Unit, Electoral Judicial
Training Center of the Electoral Tribunal

CONTENTS

• **FIRST TITLE**

GENERAL PROVISIONS

CHAPTER I

Preliminary Provisions (Articles 1 – 6)

CHAPTER II

On the Distribution of Responsibilities regarding Political Parties (Articles 7 – 9)

• **SECOND TITLE**

ON THE POLITICAL PARTIES

CHAPTER I

On the Creation and Registration of the Political Parties (Articles 10 – 19)

CHAPTER II

On the National Political Associations (Articles 20 – 22)

CHAPTER III

On the Rights and Obligations of the Political Parties (Articles 23 – 26)

CHAPTER IV

On the Obligations of the Political Parties regarding Transparency
(Articles 27 – 33)

• **THIRD TITLE**

ON THE INTERNAL ORGANIZATION OF THE POLITICAL PARTIES

CHAPTER I

On the Internal Affairs of the Political Parties (Article 34)

CHAPTER II

On the Basic Documents of the Political Parties (Articles 35 – 39)

CHAPTER III

On the Rights and Obligations of the Members (Articles 40 – 42)

CHAPTER IV

On the Internal Bodies of the Political Parties (Article 43)



CHAPTER V

On the Processes for the Integration of Internal Bodies and for Candidate Selection (Articles 44 – 45)

CHAPTER VI

On the Intraparty Justice (Articles 46 – 48)

• **FOURTH TITLE**

ON THE ACCESS TO RADIO AND TO TELEVISION (Article 49)

• **FIFTH TITLE**

ON THE FINANCING OF THE POLITICAL PARTIES

CHAPTER I

On the Public Financing (Articles 50 – 52)

CHAPTER II

On the Private Financing (Articles 53 – 57)

CHAPTER III

On the Verification of Financial Operations (Article 58)

• **SIXTH TITLE**

ON THE FINANCIAL REGIME OF THE POLITICAL PARTIES

CHAPTER I

On the Accounting System of the Political Parties (Articles 59 – 60)

CHAPTER II

On the Obligations of the Parties regarding the Financial Regime (Articles 61 – 65)

• **SEVENTH TITLE**

OTHER PREROGATIVES

CHAPTER I

Fiscal Regime (Articles 66 – 68)

CHAPTER II

On the Postal and Telegraphic Exemptions (Articles 69 – 71)

• **EIGHTH TITLE**

ON THE AUDITING OF POLITICAL PARTIES



CHAPTER I

Auditing of the Ordinary Permanent Activities of the Political Parties
(Articles 72 – 74)

CHAPTER II

Auditing of the Political Parties during the Electoral Processes (Articles 75 – 76)

CHAPTER III

On the Income and Expenditure Reports of the Political Parties (Articles 77 – 84)

• **NINTH TITLE**

ON THE ALLIANCES, THE COALITIONS AND THE MERGERS (Article 85)

CHAPTER I

On the Alliances (Article 86)

CHAPTER II

On the Coalitions (Articles 87 – 92)

CHAPTER III

On the Mergers (Article 93)

• **TENTH TITLE**

ON THE LOSS OF REGISTRATION OF THE POLITICAL PARTIES

CHAPTER I

On the Loss of Registration (Articles 94 – 96)

CHAPTER II

On the Liquidation of the Assets of the Political Parties (Article 97)

TRANSITORY ARTICLES



GENERAL LAW ON POLITICAL PARTIES

CURRENT TEXT

New Law published in the Official Gazette
of the Federation on May 23, 2014.

In the margin there is a seal with the National Shield, which says: United Mexican States.- Presidency of the Republic.

ENRIQUE PEÑA NIETO, President of the United Mexican States, informs its inhabitants:

That the Honorable Congress of the Union has sent the following

DECREE

“THE GENERAL CONGRESS OF THE UNITED MEXICAN STATE DECREES:

THE GENERAL LAW ON POLITICAL PARTIES IS ISSUED

ONLY ARTICLE. The General Law on Political Parties is issued.

GENERAL LAW ON POLITICAL PARTIES

FIRST TITLE

GENERAL PROVISIONS

CHAPTER I

Preliminary Provisions

Article 1.

1. This is a public order Law of general observance in the national territory, and its purpose is to regulate the constitutional provisions that apply to the national and local political parties, as well as to distribute responsibilities between the Federation and the states¹ regarding:

- a) The creation of the political parties, as well as the deadlines and requirements for their legal registration;
- b) The rights and obligations of their members;
- c) The basic guidelines for the integration of their management bodies, the nomination of their candidates, the democratic conduct of their activities, their prerogatives and the transparency in the use of resources;
- d) The minimum contents of their basic documents;
- e) The forms of electoral participation through coalitions;
- f) The auditing system of the income and expenditure of the resources;
- g) The organization and functioning of their internal bodies, as well as the mechanisms of intraparty justice;
- h) The procedures and sanctions applicable to the non-compliance with their obligations;
- i) The regulatory regime applicable in the event of loss of registration and liquidation of the political parties, and
- j) The legal regime applicable to the national political associations.

Article 2.

1. In relation to the political parties, the following are political-electoral rights of the Mexican citizens:

- a) To associate or assemble peacefully in order to partake in the political affairs of the country;

¹ Translator's note: Instead of "federative entities" (*entidades federativas*) used in the original Spanish version of this law, the word "states" is used here and in the rest of the text. It refers to the 31 Mexican states and the Federal District.

- b) To affiliate freely and individually with the political parties, and
- c) To vote and to be elected for all elective offices through the internal processes of candidate selection and election of leaders, provided that they have the qualities established by the law and the statutes of each political party.

Article 3.

1. The political parties are public interest entities with legal personality and their own assets, with legal registration before the National Electoral Institute or before the Local Public Bodies, and their purpose is to promote the participation of the people in the democratic life, to contribute to the integration of the representative political institutions and, as citizens' organizations, to enable the access of the citizens to the exercise of the public power.

2. It is the exclusive right of the Mexican citizens to be part of political parties and to affiliate freely and individually with them; therefore, the intervention of the following is forbidden:

- a) Civil organizations, social organizations or trade unions, be they national or foreign;
- b) Organizations with a social purpose other than the creation of parties, and
- c) Any type of corporative affiliation.

3. The political parties will promote the civic values and the democratic culture among girls, boys and adolescents, and will seek the effective participation of both genders in the integration of their bodies, as well as in the nomination of candidates.

4. Every political party will determine and make public the criteria to guarantee gender parity in the candidatures for federal and local legislators. These should be objective and ensure conditions of equality between the genders.

5. Criteria that result in that any of the genders are exclusively assigned to those districts in which the party has obtained the lowest percentages of votes in the previous electoral process will not be allowed under any circumstances.

Article 4.

1. For the purposes of this Law, the following concepts are defined as:

- a) Affiliate or member: The citizen who, in full enjoyment and exercise of his political-electoral rights, registers himself freely, voluntarily and individually to a political party in the terms that the party establishes for these effects in its internal regulations, independently of the name, activity and degree of participation;

- b) Local jurisdictional authorities: The jurisdictional authorities on electoral matters of the states;
- c) General Council: The General Council of the Institute;
- d) Constitution: The Political Constitution of the United Mexican States;
- e) Institute: The National Electoral Institute;
- f) Law: The General Law on Political Parties;
- g) General Law: The General Law on Electoral Institutions and Procedures;
- h) Local Public Bodies: The public electoral bodies of the states;
- i) Technical Unit: The Technical Auditing Unit of the National Electoral Institute;
- j) Political parties: The national and local political parties, and
- k) Tribunal: The Electoral Tribunal of the Federal Judiciary.

Article 5.

1. The application of this Law corresponds to the Institute and to the Tribunal, as well as to the Local Public Bodies and to the local jurisdictional authorities, in the terms established by the Constitution.

2. The interpretation regarding the conflict resolution of internal affairs of the political parties should take into account the character of public interest entity of the parties as citizens' organizations, as well as their freedom to internal decision, the right to self-organization of the parties and the exercise of the rights of their affiliates or members.

Article 6.

1. For aspects not covered by this Law, the General Law on Electoral Institutions and Procedures will apply.

CHAPTER II

On the Distribution of Responsibilities regarding Political Parties

Article 7.

1. The following responsibilities correspond to the Institute:

- a) The registration of the national political parties and the registry of the local political parties;
- b) The recognition of the rights and the access to the prerogatives of the national political parties and of the candidates for federal elective offices;
- c) The organization of the election of the leaders of the political parties, when they request it, discounting the cost from their prerogatives, in the terms established by this Law;

- d) The auditing of the income and expenditure of the political parties, their coalitions, the national political associations and of the candidates for federal and local elective offices, and
- e) The other responsibilities established by the Constitution and this Law.

Article 8.

1. The Institute will have the budgetary, technical, human and material resources that it needs to directly exercise its powers and responsibilities regarding auditing.

2. The Institute could, exceptionally and with the approval of a majority of at least eight votes of the member of the General Council, delegate the auditing of the income and expenditure of the local political parties, their coalitions and of the candidates for elective offices in the states to the Local Public Bodies.

3. The Executive Secretariat of the Institute will submit the Agreements in which the use of this power should be justified and motivated to the General Council.

4. For the exercise of this power, the Institute should assess that the Local Public Body in question:

- a) Has an organic and operational structure in accordance with the specific model, protocols and guidelines issued by the General Council for this effect;
- b) Establishes procedures in accordance with the federal legislation related to auditing in its regulations;
- c) Has the infrastructure and the equipment necessary for the development of the functions that will be delegated;
- d) Has specialized and reliable human resources, in accordance with the National Electoral Professional Service;
- e) Exercises its functions in accordance with the current federal and local electoral legislation, and
- f) The Institute will be able to reassume the delegated auditing functions at any time, provided that this is approved by the same majority of eight votes of the members of the General Council.

5. The Local Public Bodies should exercise the powers delegated by the Institute, subjecting themselves to the provisions of this Law, the guidelines, general agreements, technical rules and other regulations issued by the General Council.

Article 9.

1. The following responsibilities correspond to the Local Public Bodies:

- a) To recognize the rights and the access to the prerogatives of the local political parties and of the candidates for elective offices in the states;
- b) To register the local political parties;
- c) To verify that the Legislature of the state is integrated by representatives elected according to the principles of plurality and of proportional representation, in the terms set out by their laws. A political party cannot under any circumstances have a number of representatives through both principles which represents a percentage of the total of the Legislature which exceeds by eight points the percentage of the cast votes it received. This rule does not apply to a political party that because of its success in single-member districts obtains a percentage of seats of the total of the Legislature that is higher than the sum of its percentage of the cast votes plus eight percent. In order to recognize and guarantee the representation and plurality of the political forces that compete in the state, the allocation of local representatives and of representatives to the Legislative Assembly of the Federal District by proportional representation will be done in accordance with the following:

- I. *[The political party that obtains three percent of the validly cast votes in the respective elections will be allocated one seat by the principle of proportional representation, independently of the single-member districts it may have won;]*

This portion has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

- II. *[Once the previous distribution has been done, the remaining seats by proportional representation will be allocated in accordance with the formula established in the local laws, and]*

This portion has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

- III. In the integration of the Legislature, the percentage of representation of a political party cannot be less than the percentage of the votes that it received minus eight percentage points. In any case, the formula will establish the rules for the deduction of the number of representatives by proportional representation necessary to allocate representatives to the political parties that find themselves in this situation of greater or smaller underrepresentation. *[This formula will be applied once one representative by proportional representation has been allocated to all political parties that obtained the minimum percentage of votes to preserve their registration in accordance with the electoral regulations.]*

This portion has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

- d) The other responsibilities established by the Constitution and this Law.

SECOND TITLE ON THE POLITICAL PARTIES

CHAPTER I

On the Creation and Registration of the Political Parties

Article 10.

1. The citizens' organizations that aim to become national or local political parties should obtain their registration before the Institute or before a Local Public Body, as applies.

2. In order for a citizens' organization to be registered as a political party, it should be verified that this organizations fulfills the following requirements:

- a) To present a declaration of principles and, in congruence with them, its action program and the statutes that regulate its activities; which should satisfy the minimum requirements established in this Law;
- b) In the case of national political parties, to have three thousand members in at least twenty states or to have three hundred members in at least two hundred uninominal electoral districts, who should have a voter card with photography corresponding to that entity or district, as appropriate; the total number of its members in the country cannot under any circumstances be less than 0.26 percent of the federal registry of voters that was used in the ordinary federal election immediately prior to the presentation of the request in question, and
- c) In the case of local political parties, to have members in at two-thirds of the municipalities of the state or of the boroughs of the Federal District, who should have a voter card corresponding to those municipalities or boroughs; the total number of its members in the state cannot under any circumstances be less than 0.26 percent of the registry of voters that was used in the ordinary local election immediately prior to the presentation of the request in question.

Article 11.

1. The citizens' organization that aims to become a political party to obtain its registration before the Institute in the case of national political parties, or before the corresponding Local Public Body in the case of local political parties,

should inform the corresponding authority of this intent in the month of January of the year after the election of the President of the United Mexican States in the case of national registration, or of Governor or Chief of Government of the Federal District in the case of local registration.

2. From the time of the notice referred to in the previous paragraph and until the decision on the validity of the registration, the organization will inform the Institute of the source and use of its resources every month within the first ten days of each month.

Article 12.

1. In order to become a national political party, the following should be proven:

- a) The celebration of assemblies in at least twenty states or in two hundred electoral districts, in the presence of a public servant of the Institute, who will certify:
 - I. The number of members that attended and participated in the state or district assembly, which cannot under any circumstances be less than three thousand or three hundred respectively, in accordance with the established by this Law. These members must have signed the formal affiliation statement; attended freely; known and approved the declaration of principles, the action program and the statutes; and elected the ordinary and substitute representatives to the national founding assembly;
 - II. That the list of members were created with the citizens mentioned in the previous section, with the name, the surnames, the address, and the code and number of the voter card, and
 - III. That there was no intervention by labor unions or other organizations with a social purpose other than the creation of the political party in the course of the assembly in question.
- b) The celebration of a national founding assembly in the presence of the public servant appointed by the Institute, who will certify:
 - I. That the ordinary and substitute representatives, elected in the state or district assemblies, participated;
 - II. That they proved, through the corresponding certificates, that the assemblies were held in accordance with the provisions of subparagraph a) of this article;
 - III. That the identity and residence of the delegates to the national assembly were confirmed, through their voter cards or through another conclusive document;

- IV. That the representatives approved the declaration of principles, action program and statutes, and
- V. That the lists of members with the rest of the citizens affiliated with the organization in the country were presented, in order to satisfy the requirement of the minimum percentage required by this Law. These lists will contain the information required in section II of the previous subparagraph.

Article 13.

1. In the case of citizens' organizations that wish to become a local political party, the following should be proven:

- a) The celebration of an assembly in at least two-thirds of the local electoral districts or of the municipalities or boroughs of the Federal District, as appropriate, in the presence of a public servant of the competent Local Public Body, who will certify:
 - I. The number of members that attended and participated in the assemblies, which cannot under any circumstances be less than 0.26% of the registry of voters of the district, Municipality or borough, as applies. These members must have signed the formal affiliation statement; attended freely; known and approved the declaration of principles, the action program and the statutes; and elected the ordinary and substitute representatives to the local founding assembly;
 - II. That the list of members were created with the citizens mentioned in the previous section, with the name, the surnames, the address, and the code and number of the voter card, and
 - III. That there was no intervention by labor unions or other organizations with a social purpose other than the creation of the political party in the course of the assemblies in question.
- b) The celebration of a local founding assembly in the presence of the public servant appointed by the competent Local Public Body, who will certify:
 - I. That the ordinary and substitute representatives, elected in the district or municipal assemblies or in the assemblies of the boroughs of the Federal District, as applies, participated;
 - II. That they proved, through the corresponding certificates, that the assemblies were held in accordance with the provisions of the previous subparagraph;
 - III. That the identity and residence of the delegates to the local assembly were confirmed, through their voter cards or through another conclusive document;

- IV. That the representatives approved the declaration of principles, action program and statutes, and
- V. That the lists of members with the other citizens that support the organization in the state were presented, in order to satisfy the requirement of the minimum percentage required by this Law. These lists will contain the information required in section II of the previous subparagraph.

Article 14.

1. The cost of the required certifications will be discounted from the budget of the Institute or of the competent Local Public Body. The public servants authorized to issue the certifications are required to carry out the corresponding actions.

2. In the event that the interested organization does not present the registration request in the period mentioned in this Law, the notification made will cease to have effect.

Article 15.

1. Once the actions relating to the procedure for the creation of a party have been carried out, the interested citizens' organization will present the registration request to the Institute or to the competent Local Public Body in the month of January of the year prior to the next election, accompanying it with the following documents:

- a) The declaration of principles, the action program and the statutes approved by its members;
- b) The nominal lists of members by entities, electoral districts, municipalities or boroughs of the Federal District, as appropriate, referred to in articles 12 and 13 of this Law. This information should be presented on digital storage media, and
- c) The certificates of the assemblies held in the states, electoral districts, municipalities or boroughs of the Federal District, as appropriate, and the certificates of its national or local founding assembly, as corresponds.

Article 16.

1. The Institute, when examining the request of the organization which wishes to obtain registration as a national party, will verify the compliance with the requirements and with the procedure for creation established in this Law, and will prepare the corresponding draft opinion.

2. For that effect, the Institute will verify the authenticity of the affiliations to

the party pending registration, either as a whole or through the establishment of a random method, in the terms of the guidelines issued by the General Council for this purpose, verifying that it at least complies with the required minimum of members registered in the registry of voters; updating until the date of the request in question, confirming that these affiliations have a maximum of one year in the party pending registration.

Article 17.

1. The corresponding Local Public Body will examine the request that the citizens that wish to obtain registration as a local political party, will study the documents of the registration request in order to verify the compliance with the requirements and with the procedure for creation established in this Law, and will prepare the draft opinion on the registration.

2. The corresponding Local Public Body will notify the Institute so that it will carry out the verification of the number of members and the authenticity of the affiliations to the party pending registration, according to which it will be confirmed that it has the required minimum of members, confirming that these affiliations have maximum of one year in the party pending registration.

3. The Institute will keep a registry of the local political party which will at least include:

- a) The name of the political party;
- b) The emblem and color or colors that characterize them;
- c) The date of registration;
- d) The basic documents;
- e) The leadership;
- f) The legal address, and
- g) The list of members.

Article 18.

1. For the effects of the provisions of this Law, it should be verified that there is no double affiliation to parties that are already registered or pending registration.

2. In the event that a citizen appears in more than one list of members of political parties, the Institute or the competent Local Public Body will inform the involved political parties so that they can express what is in their best interest. To remedy the double affiliation, the Institute will summon the citizen so that he makes a statement on the issue and, if he fails to do so, the most recent affiliation will prevail.

Article 19.

1. The Institute or the corresponding Local Public Body will prepare the draft opinion and will resolve on the matter, in a period of sixty days after it received the registration request.

2. Where appropriate, it will issue the corresponding certificate confirming the registration. In the event of a refusal, the causes motivating it will be explained and communicated to the interested parties. The registration of the political parties will take effect on the first day of the month of July of the year prior to the election.

3. The resolution should be published in the Official Gazette of the Federation or in the Official Gazette of the state in question, as applies, and could be appealed to the Electoral Tribunal or the competent local jurisdictional authority.

CHAPTER II On the National Political Associations

Article 20.

1. The national political associations are types of citizens' associations that contribute to the development of the democratic life and of the political culture, as well as to the creation of a better informed public opinion.

2. The national political associations cannot under any circumstances use the name of "party" or "political party".

Article 21.

1. The national political associations could only participate in federal electoral processes through participation agreements with a political party or coalition. The candidatures resulting from the participation agreements will be registered by a political party and will be voted on with the name, emblem, color or colors of this party.

2. The participation agreement referred to in the previous paragraph should be presented for its registration before the President of the General Council in the timeframe established in paragraph 1 of article 92 of this Code, as applies.

3. In the propaganda and electoral campaign, the participating association could be mentioned.

4. The national political associations are subject to the auditing obligations and procedures of their resources according to the established in this Law and in the corresponding Regulations.

Article 22.

1. To obtain the registration as a national political association, those who request it should certify the following requirements before the Institute:

- a) To have at least 5,000 members in the country and a national management body; also, to have delegations in at least 7 states, and
- b) To have basic documents, as well as a name that is different from that of any other association or party.

2. The applicants should, during the month of January of the year prior to the election, together with the registration request, present the documents with which they accredit the previous requirements and, where applicable, those determined by the General Council.

3. The General Council, during a maximum period of sixty working days after the date on which it was informed of the registration requests, will decide the appropriate.

4. When the registration is approved, the General Council will issue the corresponding certificate. In the event of a refusal, the causes motivating it will be explained and communicated to the interested association.

5. The registration of the political associations that was approved will take effect on June 1 of the year prior to the election.

6. The registered political associations will enjoy of the tax regime established for the political parties in this Law.

7. The registered political associations should present an annual report on the previous year about the source and use of the resources that they receive by any modality to the Institute.

8. The report referred to in the previous paragraph should be presented no later than during the ninety days following the last day of December of the year that the report covers.

9. A national political association will lose its registration due to the following reasons:

- a) When its dissolution has been agreed upon by the majority of its members;
- b) Grounds for dissolution have occurred, in accordance with its basic documents;
- c) To omit presenting the annual report on the source and use of its resources;
- d) To not accredit any activity during one calendar year, in the terms established by the Regulations;
- e) For serious incompliance with the regulations included in this Law;

- f) To have failed to comply with the requirements necessary to obtain the registration, and
- g) The other reasons established by this Law.

CHAPTER III

On the Rights and Obligations of the Political Parties

Article 23.

1. The following are rights of the political parties:

- a) To participate in the preparation, development and monitoring of the electoral process, in accordance with the provisions of the Constitution and the applicable laws;
- b) To participate in the elections, in accordance with the provisions of Basis I of article 41 of the Constitution, as well as of this Law, the General Law on Electoral Institutions and Procedures and the other provisions on the matter;
- c) To enjoy powers to regulate their internal lives and determine their internal organization and the corresponding procedures;
- d) To access the prerogatives and to receive public financing in the terms of article 41 of the Constitution, this Law and the other applicable federal or local laws.

In the states where there is local financing for the national political parties that participate in the local elections of the state, the local laws cannot establish limitations to this financing, nor can they reduce it due to the financing that they receive from their national leaderships;

- e) To organize internal processes to select and nominate candidates in the elections, in the terms of this Law and the applicable federal or local laws;
- f) To form coalitions, alliances and mergers, which in all cases should be approved by the national management body established by the Statutes of each of the parties, in the terms of this Law and the applicable federal or local laws;
- g) To be proprietors, owners or administrators only of the real estate that is essential for the direct and immediate compliance with their objectives;
- h) To establish relations with foreign organizations or political parties, provided that they always maintain complete political and economic independence, as well as unconditional respect for the integrity and sovereignty of the Mexican State and its government bodies;

- i) To defend their legitimate interest within the electoral judicial system;
- j) To appoint representatives before the bodies of the Institute or of the Local Public Bodies, in the terms of the Constitution, the local constitutions and the other applicable legislation;
- k) To sign participation agreements with national political associations, and
- l) The other rights provided to them by the Constitution and the laws.

Article 24.

1. Those who are in the following situations cannot act as representatives of the national political parties before the bodies of the Institute:

- a) Judges, justices or ministers of the Federal Judicial Branch;
- b) Judges or justices of the Judicial Branch of a state;
- c) Electoral justices or electoral clerks of the Electoral Tribunal;
- d) Members in active duty of any armed force or police force, and
- e) Agents of the local and federal Public Ministry.

Article 25.

1. The following are obligations of the political parties:

- a) To conduct their activities in a legal manner and to adjust their behavior and that of their members to the principles of the democratic State, respecting the free political participation of the other political parties and the rights of the citizens;
- b) To abstain from using violence and any other action which aims at or results in altering the public order, disturbing the possession of the rights or obstructing the regular functioning of the government bodies;
- c) To maintain the minimum of members required in the respective laws for their creation and registration;
- d) To blazon the name, emblem and color or colors that they have registered, which could not be the same or similar to the ones used by other existing political parties;
- e) To comply with the affiliation regulations and to follow the procedures set out in their statutes for the nomination of candidates;
- f) To keep their statutory bodies in effective operation;
- g) To have a public address for their internal bodies;
- h) To issue at least one quarterly dissemination publication and another publication of a theoretical nature every six months;
- i) To reject any type of economic, political or propaganda support from foreigners or ministers of any religion, as well as from religious

- associations and organizations and churches and any of the persons prohibited by law from financing the political parties;
- j) To publish and disseminate in the electoral demarcations in which they participate, as well as in the airtime corresponding to them in the radio stations and in the television channels, the electoral platform that they will hold in the election in question;
 - k) To allow the performance of audits and verifications by the bodies of the Institute authorized for this, or by the Local Public Bodies when the auditing powers established in article 41 of the Constitution for the Institute are delegated to them, as well as to provide the documents regarding their incomes and expenditures requested of them by these bodies;
 - l) To inform the Institute or the Local Public Bodies, as applies, of any change to their basic documents within the ten following days following the date on which the corresponding agreement was reached by the political party. The changes will not take effect until the General Council of the Institute declares their constitutional and legal validity. The decision should be issued no later than 30 working days after the presentation of the corresponding documents or of the information about the changes of the members of their management bodies and of their public address, in the terms of the applicable provisions;
 - m) To act and behave without depending on or being subordinated to political parties, foreign natural or legal persons, international organizations or entities and minister of any religion;
 - n) To use the funding that they dispose of exclusively for the purposes for which they have been provided;
 - ñ) To abstain from any expression that defame the institutions and the political parties or that slander any person in their political or electoral propaganda;
 - o) To abstain from using religious symbols, as well as expressions, allusions or beliefs of a religious character in their propaganda;
 - p) To abstain from performing collective affiliations of citizens;
 - q) To guarantee gender parity in the candidatures for the federal and local legislatures;
 - r) To prepare and present the reports on the source and use of the resources referred to in this Law;
 - s) To comply with the obligations imposed on them by the legislation regarding transparency and access to information, and
 - t) The other obligations established by the applicable federal and local laws.

Article 26.

1. The following are prerogatives of the political parties:
 - a) To have access to radio and television in the terms of the Constitution and the General Law on Electoral Institutions and Procedures;
 - b) To partake of the corresponding public financing for their activities, in the terms of this Law;
 - c) To enjoy the tax regime established in this Law and in the laws on the matter, and
 - d) To use the postal and telegraphic exemptions necessary for the performance of their duties.

CHAPTER IV

On the Obligations of the Political Parties regarding Transparency

Article 27.

1. The provisions of this Chapter are obligatory for the political parties without prejudice to the established in the legislation regarding transparency.

Article 28.

1. Everyone has the right to access the information of the political parties in accordance with the rules established in this Chapter and in the legislation regarding transparency and access to information. The autonomous guaranteeing body on transparency will be competent to know of the issues related with the access to public information and the protection of personal data in the possession of the political parties.

2. The persons will access the information of the political parties directly, in the terms of the law referred to in the 6th constitutional article regarding transparency.

3. The legislation on the matter will establish the bodies, forms, procedures and periods to settle the requests presented regarding the information of the political parties.

4. When the requested information is publicly available, including on the official websites of the Institute and the Local Public Bodies or of the political party in question, this information should always be delivered, notifying the applicant the manner in which it can be obtained.

5. When the information is not publicly available, the requests for access to the information should be presented in printed or electronic form.

6. The political parties are required to publish on their website at least the information specified as transparency requirements in the law on the matter.

7. The information that the political parties provide to the Institute and the Local Public Bodies, or that these generate regarding the same, should by general rule be public and can only be classified by exception, in the terms of the law on the matter, and should be at the disposal of everyone through the websites of the Institute and the Local Public Bodies, respectively.

Article 29.

1. The political parties should, in their statutes, include the way to guarantee the protection of the personal data of their members, as well as the right to the access, corrections, cancellation and opposition of this data.

Article 30.

1. The following is considered public information of the political parties:

- a) Their basic documents;
- b) The powers of their management bodies;
- c) The regulations, agreements and other provisions of a general character, approved by their management bodies, which regulate their internal life, the obligations and rights of their members, the election of their leaders and the nomination of their candidates for elective offices;
- d) The registry of their members, containing only the paternal surname, maternal surname, name or names, date of affiliation and entity of residence;
- e) The directory of their national, state and municipal bodies, and those in the Distrito Federal, and, where applicable, their regional, delegation and district bodies;
- f) The ordinary and extraordinary remuneration received by the members of the bodies referred to in the previous subparagraph, as well as of any person who receives income from the political party, independently of the function or office that this person performs within or outside the party;
- g) The contracts and agreements signed for the acquisition, lease, concessions or loan of goods and services;
- h) The electoral platforms and government programs that they registered before the Institute;
- i) The alliance, coalition or merger agreements that they sign, or the electoral participation agreements that they implement with national political associations;
- j) The calls they issue for the election of their leaders or the nomination of their candidates to elective offices;

- k) The amounts of public financing given by any modality to their national, state and municipal bodies and those of the Distrito Federal, during the last five years and until the most recent month, as well as the discounts corresponding to sanctions;
- l) The reports that the parties are required to deliver in the terms of the provisions of this Law, the declaration of the financial situation of the political party, the inventory of the real estate that they own, have leased or is in their possession under any legal structure, as well as the attached documents that form an integral part of the previous documents, the list of donors and the amounts given by each of them;
- m) The results of reviews, reports, verifications and audits that they are the subject of due to the auditing of their resources, once they have been concluded; as well as their proper fulfillment;
- n) The rulings of the jurisdictional bodies in which the party is part of the process as well as how they comply with them;
- ñ) The decisions passed by their internal control bodies;
- o) The decisions related to guaranteeing the rights of their members, as well as their thorough fulfillment;
- p) The names of their representatives before the bodies of the Institute;
- q) The list of the investigation and training foundations, centers or institutes, or any other, which receive economic support from the political party;
- r) The opinion and decision that the General Council has approved regarding the reports referred to in subparagraph l) of this paragraph, and
- s) The others established by this Law and the applicable laws on transparency.

Article 31.

1. The information regarding the deliberative processes of the internal bodies of the political parties, that corresponding to their political strategies, that included in any type of survey ordered by them, as well as that referring to activities of a private, personal or family nature of their members, leaders, pre-candidates and candidates for elective offices are considered classified, in the terms of the law on the matter.

2. The information regarding the allocation and exercise of the campaign and pre-campaign expenditure and the general expenditure of a political party stemming from the public budget, nor the contributions of any type or kind made by individuals independently of how the contributed resources are used, cannot be classified.

Article 32.

1. The political parties should keep the public information established in this Chapter permanently updated through their websites, without prejudice to the regularity, formats and means that this Law and the regulations on the matter establish for all the transparency obligations.

Article 33.

1. The incompliance with the obligations established by this Chapter will be sanctioned in the terms established by the law on the matter, without prejudice to the sanctions established for the political parties in the General Law on Electoral Institutions and Procedures.

THIRD TITLE

ON THE INTERNAL ORGANIZATION OF THE POLITICAL PARTIES

CHAPTER I

On the Internal Affairs of the Political Parties

Article 34.

1. For the effects of the established in the second-to-last paragraph of Basis I of article 41 of the Constitution, the internal affairs of the political parties include the set of actions and procedures related to their organization and functioning, based on the provisions established in the Constitution, in this Law, as well as in their respective Statutes and the regulations that their management bodies adopt.

2. The following are internal affairs of the political parties:

- a) The development and modification of the basic documents, which cannot under any circumstances be done once the electoral process has begun;
- b) The determination of the requirements and procedures for the free and voluntary affiliation of the citizens to the political parties;
- c) The election of the members of the internal bodies;
- d) The procedures and requirements for the selection of their pre-candidates and candidates for elective offices;
- e) The deliberative processes for the definition of their political and electoral strategies and, in general, for the decision-making by their internal bodies and by the organizations made up by their members, and

- f) The issuing of internal regulations and general agreements required for the fulfillment of their basic documents.

CHAPTER II

On the Basic Documents of the Political Parties

Article 35.

1. The following are the basic documents of the political parties:
 - a) The declaration of principles;
 - b) The action program, and
 - c) The statutes.

Article 36.

1. For the declaration of the constitutional and legal validity of the basic documents of the political parties, the General Council will respect the right of the parties to adopt the organizational rules and procedures that allow them to function in accordance with their purposes.
2. The political parties should notify the Institute of the regulations that they adopt, no later than ten days after their adoption.

Article 37.

1. The declaration of principles will at least contain:
 - a) The obligation to abide by the Constitution and to respect the laws and institutions emanating from it;
 - b) The political, economic and social ideological principles that the political party stands for;
 - c) The declaration to not accept any pact or agreement that subjects or subordinate the political party to any international organization or that makes it dependent on any foreign entities or political parties; as well as to not request or, where applicable, to reject any economic, political or propaganda support from foreigners or from ministers of any religion, well as from religious associations and organizations and churches and any of the persons that this Law prohibits from financing the political parties;
 - d) The obligation to conduct their activities by peaceful means and in a democratic way, and
 - e) The obligation to promote the political participation under equal opportunities and fairness between women and men.

Article 38.

1. The actions program will determine the measures in order:

- a) To achieve the aims of the political parties;
- b) To suggest public policies;
- c) To educate their members ideologically and politically, and
- d) To prepare the active participation of their members in the electoral processes.

Article 39.

1. The statutes will establish:

- a) The name of the political party, the emblem and the color or colors that characterize and differentiate it from the other political parties. The name and the emblem cannot include religious or racial allusions;
- b) The procedures for the individual, personal, free and peaceful affiliation of their members, as well as their rights and obligations;
- c) The rights and obligations of their members;
- d) The organic structure according to which the political party will be organized;
- e) The democratic rules and procedures for the integration and renewal of the internal bodies, as well as the functions, powers and obligations of these bodies;
- f) The democratic rules and procedures for the nomination of their candidates;
- g) The obligation to present an electoral platform for every election in which it participates, which should be based on its declaration of principles and action program;
- h) The obligation of their candidates to uphold and disseminate the electoral platform during the electoral campaign in which they participate;
- i) The types and the rules of private financing that the political parties resort to;
- j) The rules, deadlines and procedures of intraparty justice and the alternative resolution mechanisms for internal controversies, with which the rights of the members as well as the timeliness and legality of the decisions are guaranteed, and
- k) The sanctions applicable to the members that infringe on their internal provisions, through an intraparty disciplinary procedure, with due process that includes the rights to a hearing and to a defense, the description of the possible infractions to the internal regulations of

causes for expulsion and the obligation to motivate and justify the respective decision.

CHAPTER III

On the Rights and Obligations of the Members

Article 40.

1. The political parties could, in their statutes, establish the categories of their members in accordance with their level of participation and responsibilities. Also, they should establish the rights of the members, among which at least the following will be included:

- a) To participate personally and directly, or through representatives, in the assemblies, councils, conventions or equivalent in which decisions related to the approval of the basic documents of the political parties and their modifications, the election of leaders and candidates for elective offices, the merger, coalition, creation of alliances and dissolution of the political party, are adopted;
- b) To run for office within the internal selection processes of candidates for offices of popular representation, provided that they comply with the requirements established in the applicable provisions and in the statutes of every political party;
- c) To run for office within the selection processes of leaders, as well as to be nominated in any other employment or commission within the political party, provided that they comply with the requirements established by their statutes;
- d) To request and to receive public information about any issue of the political party, in the terms of the laws on transparency, independently of whether or not they have a direct legal interest in the matter regarding which they request the information;
- e) To request the accountability of their leaders through the reports that they are required to present during their tenure, based on the internal regulations;
- f) To demand the compliance with the basic documents of the political party;
- g) To receive political training and education, and information, for the exercise of their political and electoral rights;
- h) To have access to the internal jurisdiction of the political party and, where applicable, to receive legal guidance in the exercise and enjoyment of their rights as members when these are violated within the political party;

- i) To appeal the rulings and decisions of the internal bodies that affect their political-electoral rights to the Tribunal or the local electoral tribunal, and
- j) To endorse, where applicable, or renounce their membership.

Article 41.

1. The statutes of the political parties will establish the obligations of their members and should at least include the following:

- a) To respect and comply with the statutes and the party regulations;
- b) To respect and disseminate the ideological principles and the action program;
- c) To contribute to the finances of the political party in the terms established by the internal rules and to comply with the payment of fees determined by the party, within the limits established by the electoral laws;
- d) To ensure the internal democracy and the compliance with the party rules;
- e) To comply with the legal provisions on electoral matters;
- f) To comply with the internal decisions which have been issued by the bodies authorized for this and based on the party rules;
- g) To participate in the assemblies, conventions and other meetings that they should participate in, and
- h) To educate and train themselves through the training programs of the political party.

Article 42.

1. The Institute will verify that one person is not affiliated to more than one political party and will establish the mechanisms for the consultation of the respective lists of members.

2. In the event that a citizen appears in more than one list of members of political parties, the proceedings of article 18 of this Law will be followed.

CHAPTER IV

On the Internal Bodies of the Political Parties

Article 43.

1. The internal bodies of the political parties should at least include the following:

- a) An assembly or equivalent body, integrated by representatives from all states in case of national political parties or from all municipalities in

the case of local political parties, which will be the highest authority of the party and will have deliberative powers;

- b) A national or local committee or equivalent body for the political parties, as applies, which will be the representative of the party, with executive and monitoring powers and, where applicable, authorizing powers regarding the decisions of the other party instances;
- c) A body responsible for the administration of their assets and financial resources and for the presentation of the quarterly, annual, pre-campaign and campaign reports on incomes and expenditures;
- d) A democratically integrated collegiate decision-making body responsible for the organization of the processes for the integration of the internal bodies of the political party and for the selection of candidate for elective offices;
- e) A collegiate decision-making body responsible for the administration of intraparty justice, which should be independent, impartial and objective;
- f) A body in charge of complying with the obligations of transparency and access to information that the Constitution and the laws on the matter impose on the political parties, and
- g) A body in charge of the civic education and training of the members and leaders.

2. In addition to those set out in the previous paragraph, the national should have committees or equivalent with executive powers in the states.

CHAPTER V

On the Processes for the Integration of Internal Bodies and for Candidate Selection

Article 44.

1. The internal procedures for the integration of the internal bodies of the political parties and for the nomination of candidates for elective offices will be the responsibility of the body established in subparagraph d) of paragraph 1 of the previous article, and they will be conducted based on the following basic guidelines:

- a) The political party, through the body authorized for this, will publish the call, which gives certainty and complies with the statutory rules, and which will at least contain the following:
 - I. The offices or candidatures to be elected;
 - II. The eligibility requirements, which should include those related to the identification of the pre-candidates or candidates with the programs, principles and ideas of the party and other requirements,

- provided that they do not violate the essential contents of the right to be elected;
- III. The dates for the registration of pre-candidates and candidates;
 - IV. The documents that should be presented;
 - V. The period to correct possible omissions or defects in the registration documents;
 - VI. The general rules and campaign expenditure ceilings for the election of leaders and pre-campaign expenditure ceilings for elective offices, in the terms established by the Institute;
 - VII. The selection method, which in the case of vote of the members should be free and secret;
 - VIII. The date and place of the election, and
 - IX. The dates when the campaign or pre-campaign, as applies, reports on income and expenditure should be presented.
- b) The collegiate body referred to in subparagraph d) of paragraph 1 of the previous article:
- I. Will register the pre-candidates or candidates and will decide on their eligibility, and
 - II. Will guarantee the impartiality, fairness, transparency and legality of the stages of the process.

Article 45.

1. The political parties could request the Institute to organize the election of their management bodies, based on their statutes, regulations and procedures, discounting the cost from their prerogatives.

2. For the organization and the development of the election process, the following rules will be applied:

- a) The political parties will, in their statutes, establish the authorized internal body, the conditions and the procedure to decide on the applicability of the request;
- b) The political party will present the support request to the Institute through the executive body established in article 43, subparagraph b) of this Law four months before the expiration of the deadline for the election of the corresponding management body. In the event that the deadline for the renewal of the management body has expired due to disputes brought before courts, the political party could request the Institute to organize the election outside of the deadline set out in the previous paragraph;²

² Translator's note: The mentioned deadline is set out in the first sentence of this same

- c) The political parties could request the cooperation of the Institute during non-electoral periods;
- d) The applicant political party will agree with the Institute on the extent of its participation, as well as on the conditions for the organization and development of the process, which should be in adherence to the established in the Statutes and regulations of the political party;
- e) The mechanisms by which the costs of the organization of the process, which could include the possible hiring of personnel for a specific task by the Institute for this purpose, will be discounted from the prerogatives of the applicant political party will be established in the agreement;
- f) The Institute will coordinate with the body mentioned in subparagraph d) of article 43 of this Law for the development of the process;
- g) The election will preferably be carried out with the assistance of electronic means for the receipt of the votes, and
- h) The Institute could only reject the request if there is material inability to organize the internal election.

CHAPTER VI On the Intraparty Justice

Article 46.

1. The political parties will establish procedures for intraparty justice, which should include alternative resolution mechanisms for controversies.

2. The collegiate decision-making body mentioned in article 43, subparagraph e) of this Law, should be integrated, prior to trying the case, by an uneven number of members; it will be the body responsible for imparting internal justice and should conduct itself with independence, impartiality and legality, as well as with respect for the deadlines established by the statutes of the political parties;

3. The statutes of the political parties will establish alternative resolution mechanisms for controversies regarding internal affairs, for which they should establish the conditions regarding when they apply, the voluntary subjection, the deadlines and the formalities of the procedure.

Article 47.

1. The collegiate decision-making body referred to in the previous article will pass its decisions by majority vote.

2. All controversies related with the internal affairs of the political parties

subparagraph. However, this translation maintains the typographical error of the original Spanish version of this law.

will be resolved by the bodies established in their statutes for this purpose, and they should resolve in time to guarantee the rights of the members. The members will only have the right to appeal to the Tribunal once the internal means of defense are exhausted.

3. In the decisions of the collegiate decision-making bodies, the political rights of the citizens in regards to the principles of self-organization and self-determination that the political parties enjoy for the achievement of their aims should be considered.

Article 48.

1. The internal justice system of the political parties should have the following characteristics:

- a) To have only one instance of internal conflict resolution in order for the decisions to be issued promptly and expeditiously;
- b) To establish certain deadlines for the lodging, trying and resolution of the means of internal justice;
- c) To respect all the essential formalities of the procedure, and
- d) To be formally and materially efficient in order to, where applicable, restore the members to the enjoyment of the political-electoral rights that were injured.

FOURTH TITLE

ON THE ACCESS TO RADIO AND TO TELEVISION

Article 49.

1. As set out in article 41 of the Constitution, the Institute administers the airtimes of the State for electoral purposes, in the terms established in the General Law on Electoral Institutions and Procedures.

FIFTH TITLE

ON THE FINANCING OF THE POLITICAL PARTIES

CHAPTER I

On the Public Financing

Article 50.

1. The political parties have the right to receive public financing for the development of their activities, which will be distributed equally, in accordance with the established in article 41, Basis II of the Constitution, as well as the provisions of the local constitutions.

2. The public financing should prevail over other types of financing and will be used for the maintenance of the ordinary permanent activities, the costs of electoral processes and for specific activities as public interest entities.

Article 51.

1. The political parties have the right to public financing for their activities, structure, wages and salaries, independently of the other prerogatives granted in this Law, in accordance with the following provisions:

- a) For the maintenance of ordinary permanent activities:
 - I. The General Council, in the case of the national political parties, or the Local Public Body, in the case of the local political parties, will annually determine the total amount to be distributed among the political parties in accordance with the following: it will multiply the total number of citizens registered in the federal or local registry of voters, according to the case, at the cut-off date of July of each year, by sixty-five percent of the minimum wage in force in the Federal District for the national political parties, or of the minimum wage of the region in which the state is located for the case of the local political parties;
 - II. The result of the operation set out in the previous section makes up the annual public financing of the political parties for their ordinary permanent activities and it will be distributed in the manner established by section a) of Basis II of article 41 of the Constitution;
 - III. The quantities that, where applicable, are determined for each party will be delivered in monthly installments according to the budgetary calendar that is approved annually;
 - IV. Every political party should annually allocate at least two percent of the public financing that they receive for the development of specific activities referred to in subparagraph c) of this article, and
 - V. Every political party should annually allocate three percent of the ordinary public financing for the training, promotion and development of the political leadership of women.
- b) For Campaign expenses:
 - I. In the year of the election in which the federal or local Executive Branch and the two Chambers of the Congress of the Union or the Chamber of a state are renewed, each national or local political party, as applies, will receive an amount equivalent to fifty percent of the public financing for the maintenance of the ordinary permanent activities corresponding to it in that year for campaign expenses;

- II. In the year of the election in which only the federal House of Representatives or the Chambers of the states are renewed, each national or local political party, respectively, will receive an amount equivalent to thirty percent of the public financing for the maintenance of the ordinary permanent activities corresponding to it in that year for campaign expenses, and
 - III. The campaign financing will be administered in its entirety by the political parties; establishing the distribution according to the provisions of this Law; being required to inform the Auditing Commission of the distribution ten days before the beginning of the electoral campaign, and this Commission will notify the General Council of the Institute in the next session, without these distribution percentages being able to be modified.
- c) For specific activities as public interest entities:
- I. The political education and training, socioeconomic and political research as well as the editorial tasks of the national political parties will be supported by public financing with a total amount equivalent to three percent of the amount corresponding to them in the same year for the ordinary activities referred to in subparagraph a) of this article; the amount will be distributed in the terms established in section II of the mentioned subparagraph;
 - II. The General Council will, through the Technical Unit, monitor that the political parties use the financing referred to in this subparagraph exclusively for the activities mentioned in the previous section, and
 - III. The quantities that, where applicable, are determined for each party will be delivered in monthly installments according to the budgetary calendar that is approved annually;
- 2.** The political parties that obtained their registration after the last election, or those that having kept their legal registration are not represented in any of the Chambers of the Congress of the Union, or in the local Congress in the case of the local parties, will have the right to receive public financing according to the following criteria:
- a) Every political party will receive two percent of the total financing that corresponds to the political parties for the maintenance of their ordinary permanent activities referred to in this article, as well as, in the year of the election in question, the financing for campaign expenses that corresponds in accordance with the established in subparagraph b) of paragraph 1 of this article, and
 - b) They will partake of the public financing for specific activities as public interest entities only in the part that is distributed equally.

3. The quantities referred to in subparagraph a) of the previous paragraph will be provided in the proportional part corresponding to the annual financing, as of the date in which the registration takes effect and taking into account the budgetary calendar approved for that year.

Article 52.

1. In order for a national political party to receive local public resources, it should have received at least three percent of the validly cast votes in the previous local electoral process in the state in question.

2. The rules that determine the local financing of the parties that comply with the provisions of the previous paragraph will be established in the respective local legislation.

CHAPTER II On the Private Financing

Article 53.

1. Apart from the established in the previous Chapter, the political parties could receive financing other than public financing through the following modalities:

- a) Financing by the members;
- b) Financing by the supporters;
- c) Self-financing, and
- d) Financing by financial yields, funds and trusts.

Article 54.

1. The following cannot make contributions or donations in cash or in kind to the political parties or to the applicants, pre-candidates or candidates for elective offices, personally or through a third party, under any circumstances:

- a) The Executive, Legislative and Judicial Branches of the Federation and of the states, and the city councils, except for in the case of the public financing established in the Constitution and this Law;
- b) The departments, entities or bodies of the Federal, state or municipal public administration, centralized or parastatal, and the government bodies of the Federal District;
- c) The federal and state autonomous bodies, or those of the Federal District;
- d) Foreign political parties, natural persons or legal persons;
- e) International bodies of any kind;

- f) Legal persons, and
 - g) Persons that live or work abroad.
2. The political parties cannot request credits from development banks for the financing of their activities.

Article 55.

1. The political parties cannot receive contributions from unidentified persons.
2. The monetary contributions that the supporters give to the political parties will be deductible from the Income Tax up to an amount of twenty-five percent.

Article 56.

1. The financing that does not come from public funds will have the following modalities:
- a) The independent or mandatory, ordinary or extraordinary, contributions or fees provided by the members, in cash or in kind, to the political parties;
 - b) The voluntary and personal contributions, in cash or in kind, that the pre-candidates and candidates provide exclusively for their pre-campaigns and campaigns, and
 - c) The voluntary and personal contributions that the supporters provide during the federal and local electoral processes, and this will include the contributions or donations, in cash or in kind, made to the political parties on a free and voluntary bases by Mexican natural persons residing in the country.
2. The private financing will be adjusted to the following annual limits:
- In the case of contributions from members, two percent of the public financing given to all the political parties for the maintenance of their ordinary activities and pre-campaigns in the year in question;
- a) In the case of contributions from candidates, as well as from supporters during the electoral processes, to be used in the campaigns of their candidates, ten percent of the expenditure ceiling for the immediately previous presidential election;
 - b) Every political party, through the body established in article 43, subparagraph c), of this Law, will freely determine the minimum and maximum amounts and the regularity of the ordinary and extraordinary fees of their members, as well as the voluntary and personal contributions that the pre-candidates and candidates provide exclusively for their pre-campaigns and campaigns, and

c) The contributions of supporters will have an individual annual limit of 0.5 percent of the expenditure ceiling for the immediately previous presidential election.

3. The political parties should issue numbered receipts in which they record the full name and address, voter code and, where applicable, the Federal Taxpayer Register number³ of the donor. In the event that the contribution is made by check or bank transfer, the transferring account should be in the name of the donor. The contributions or fees should invariably be deposited in bank accounts in the name of the political party, in accordance with the provisions of the Regulations.

4. The contributions in kind will be recorded in a contract by the political party and the donor, which must specify the unit value of the provided goods and services, the total amount of the contribution and, where applicable, the number of units provided; likewise, an invoice that specifies the form of payment should be appended; in accordance with the provisions of article 29 A, section VII, subsection c), of the Tax Code of the Federation.

5. The political party should deliver a monthly list of the names of the donors and, where applicable, the transferring accounts of the resource that by necessity must be in the name of the person who made the contribution.

6. The contributions of movable assets and real estate should only be used for the fulfillment of the aims of the political party that was benefitted by the contribution.

Article 57.

1. The political parties could open accounts, funds or trusts in banking institutions located in Mexico for the investment of their liquid resources in order to obtain financial yields, subject to the following rules:

- a) They should inform the General Council of the Institute of the opening of the respective account, fund or trust no later than five days after the signing of the contract in question, appending a true and accurate copy of it, issued by the private banking institution with which it was established;
- b) The accounts, funds and trusts that are created will be managed in dept instruments issued by the Mexican government in the national currency and for a term that does not exceed one year;

³ Translator's note: The Federal Taxpayer Register (*Registro Federal de Contribuyentes*, RFC) is a tax identification number which all natural and legal persons should obtain before the Ministry of Finance and Public Credit for tax purposes.

- c) In any case, the accounts, funds or trust will not be protected by the banking or fiduciary secrecy for the General Council of the Institute, and therefore the Council could request detailed information about their management and operations at any moment, and
- d) The financial yields obtained through this modality should be used for the fulfillment of the aims of the political party.

CHAPTER III

On the Verification of Financial Operations

Article 58.

1. The General Council of the Institute, through its Technical Unit, could request reports on financial operations on the presumption of the illegal source of the funds provided to the political parties from the competent administrative unit on financial intelligence of the Ministry of Finance and Public Credit.

2. Likewise, at the request of the auditing body, the administrative unit competent on financial intelligence of the Ministry of Finance and Public Credit will inform the Institute regarding cash withdrawals made by any body or department of the Federation, of the states and of the municipalities during any electoral process, when these operations are considered relevant or unusual in accordance with the applicable regulations.

SIXTH TITLE

ON THE FINANCIAL REGIME OF THE POLITICAL PARTIES

CHAPTER I

On the Accounting System of the Political Parties

Article 59.

1. Every political party will be responsible for its accountability and for the operation of the accounting system, as well as the compliance with the established in this Law and the decisions issued by the General Council of the Institute and the Auditing Commission on the matter.

Article 60.

1. The accounting system that the political parties subject themselves to should have the following characteristics:

- a) To be made up of all the registers, procedures, criteria and reports, structured on the basis of shared technical principles intended to

- capture, evaluate, register, classify, inform and interpret the transactions, transformations and events that, deriving from the financial activity, modify the financial situation of the political party;
- b) The provisions on auditing that establish the obligations, classify the expenditure concepts of the political parties, candidates and all the obligated subjects; as well as those that determine the violations, are of strict interpretation of the rule;
 - c) To recognize the legal nature of the operations made by the political parties with third parties, in the terms of the civil and commercial provisions;
 - d) To register their budgetary and accounting operations, as well as other economic flows, in a harmonious, limited and specific manner;
 - e) To reflect the application of the principles, general and specific accounting rules and instruments established by the General Council of the Institute;
 - f) To facilitate the identification of the incomes, expenditures, assets, debts and trusts;
 - g) To automatically integrate the accounts with the accounting operation, including the use of the yielded cost;
 - h) To allow that the registers are made considering the accumulative basis for the integration of the budgetary and accounting information;
 - i) To reflect a coherent and organized register of every operation that generates rights and obligations deriving from the financial management;
 - j) To generate, in real time, financial statements, budgetary implementation statements and other information that assist the decision-making, the transparency, the programming based on results, the evaluation and the accountability, and
 - k) To facilitate the registration and control of the inventories of the movable assets and real estate.

2. The accounting system will be displayed in a computer system which will have security features. The parties will make their accounting register online and the Institute could have unconditional access to these systems in the exercise of its monitoring and auditing powers.

3. Where applicable, the Institute will draw up preventing recommendations to political parties and candidates with a view to improve the effectiveness, efficiency, timeliness, consistency and truthfulness of the reports set out in this Law.

On the Obligations of the Parties regarding the Financial Regime

Article 61.

1. Regarding their financial regimes, the political parties should:

- a) Keep their accounts through books, systems, accounting registers, financial statements, special statements, working papers, disks or any indictable means of data storage that allow them to facilitate the register and auditing of their activities, assets, debts, incomes and expenditures and, in general, contribute to measure the effectiveness, economy and efficiency of the expenditure and incomes and the administration of the debt;
- b) Create reliable, timely, understandable, regular, comparable and homogeneous financial statements, which will be expressed in monetary terms;
- c) Follow the best accounting practices to support the tasks of financial planning, control of resources, analysis and auditing;
- d) Have accounting manuals, as well as the other accounting instruments defined by the General Council of the Institute;
- e) Keep the accounting information for at least five years, and
- f) Deliver the following information to the General Council of the Institute:
 - I. Within seventy-two hours after the notification of the request takes effect, their financial statements with information updated to the time of the request;
 - II. Outside of electoral processes, the report on the contracts will be presented quarterly regarding the immediately previous period, and
 - III. The financial information related to the cost and conditions of the execution of the contracts that they sign during the pre-campaigns and campaigns, within no more than three days after they are signed, upon the delivery of the goods or the provision of the services in question. This information could be notified to the Institute via electronic means, based on the guidelines issued by the Institute.

Article 62.

1. The General Council of the Institute will verify the contents of the contracting notices referred to in section III of subparagraph f) of paragraph 1 of the previous article, in accordance with the procedures issued by the General Council for this purpose.

2. The political parties should present the respective notice to the General Council of the Institute, appending a signed copy of the respective contract that contains:

- a) The signature of the representative of the political party, the coalition or the candidate;
- b) The purpose of the contract;
- c) The unit and total value or price of the goods or services to be provided;
- d) The conditions through which its execution will be carried out, and
- e) The penalty in the event of incompletion.

Article 63.

1. The expenditure incurred by the political parties, the coalitions and the candidates should meet the following requirements:

- a) To be supported by a receipt that complies with the fiscal requirements;
- b) To make the payments of amounts exceeding ninety days of the minimum wage in force in the Federal District through electronic transfers or personal checks⁴ for installment in the account of the beneficiary;
- c) To be duly registered in the accounts;
- d) To comply with the obligations established regarding retentions and payments of taxes by third parties, and
- e) To subject the expenditure associated with acquisitions to the criteria of legality, honesty, effectiveness, efficiency, economy, rationality, austerity, transparency, control and accountability.

Article 64.

1. The political parties could choose to make the payments related to their ordinary permanent activities, the pre-campaigns and campaigns, or only those related to advertising displayed in public thoroughfares during the pre-campaign and campaign period, through the Technical Unit.

2. Public propaganda is understood as all propaganda contracted or disseminated in shows, mailboxes, light boxes, billboards, marquees, urban publicity property with or without movement, walls, viewpoints, buses, bridges, fences, vehicles or any other similar means.

3. In the event that the party chooses for the Institute, through the Technical Unit, to pay all of the contractual obligations contracted by the party in the

⁴ Translator's note: A personal check (*cheque nominativo*) is a check that can only be cashed in by the legal or natural person named on the payment order of the check.

campaign stage, the Technical Unit will have the exclusive use of the check book at all times during the campaign.

4. In the event that the party chooses for the Institute, through the Technical Unit, to pay only the advertising displayed in public thoroughfares, an account will be used for this purpose, and the corresponding check book will be exclusive to the authority.

5. The General Council will issue the guidelines for making the payments through the Technical Unit, which should, among other aspects, guarantee the transparency in the use of the resources, the timeliness in making payments, the compliance with the provisions on fiscal matters, and the reconciliation of the account balance.

Article 65.

1. The Institute will issue guidelines to ensure the maximum publicity of the accounting registers and movements, advance notices of contracting and validity requirements for contracting regarding the political parties, coalitions and candidates.

SEVENTH TITLE OTHER PREROGATIVES

CHAPTER I Fiscal Regime

Article 66.

1. The national political parties are not subject to the following taxes and rights:

- a) Those related with the lotteries and raffles that they organize with legal authorization, and with the fairs, festivals and other events aimed at gathering resources for the fulfillment of their aims;
- b) On the assets, regarding their taxable income stemming from the transfer of the property that they had acquired for the exercise of their specific functions, as well as the income stemming from donations in cash or in kind;
- c) Those related to the sale of the leaflets that they edit for the dissemination of their principles, programs, statutes and, in general, for their propaganda, as well as the use of audiovisual equipment and means used for this dissemination, and
- d) Regarding the others established by the applicable legal provisions.

Article 67.

1. The assumptions referred to in the previous article will not apply in the following cases:

- a) In the case of contributions, including additional taxes established by the states or the Federal District on real estate and on its sectioning, additional taxes that are established on the property, its division, consolidation, transfer and improvement, as well as the taxes based on the change in value of the property, and
- b) On the taxes and rights established by the states, the municipalities or the Federal District for the provision of public services.

Article 68.

1. The fiscal regime referred to in article 66 of this Law does not relieve the political parties of the compliance with other fiscal obligations.

2. The political parties should retain and inform the tax authorities of the corresponding Income Tax due to wages, salaries, professional fees and any other equivalent payment made to their leaders, employees, workers or independent professionals that provide services, according to the applicable law. The Auditing Commission of the Resources of the Political Parties will notify the competent tax authorities of the non-payment of taxes and other contributions that the political parties incur.

CHAPTER II**On the Postal and Telegraphic Exemptions****Article 69.**

1. The national political parties will, in the national territory, enjoy of the postal and telegraphic exemptions that are necessary for the development of their activities.

Article 70.

1. The postal exemptions will be subjected to the following rules:

- a) The General Council will establish the amount intended to cover the cost for the postal exemptions of the national political parties in the Institute's annual budget of expenses. In non-electoral years, the total amount will be equivalent to two percent of the public financing for ordinary activities; in electoral years it will be equivalent to four percent;
- b) The postal exemptions will be allocated equally to the national political parties;
- c) The Institute will inform the Mexican Postal Service of the budget

- which annually corresponds to each national political party through this prerogative and will every quarter cover the cost of the services given to each of the parties up to the corresponding limit. The Institute will not under any circumstances give the resources for this purpose directly to the parties. If there are still unused resources at the end of the corresponding fiscal year, these will be returned to the Treasury of the Federation as budgetary savings;
- d) Only the management committees of each national party can use the postal exemptions. The representative of the parties before the General Council will inform the Institute in a timely manner about the annual allocation between these committees of the prerogative corresponding to them;
 - e) The political parties will certify two authorized representatives for each of their committees to invoice the shipment of their ordinary correspondence, their propaganda and their regular publications before the Executive Directorate of Prerogatives and Political Parties and before the Local and District Executive Boards. The Executive Directorate will inform the Mexican Postal Service of the names of the certified representatives and will make the necessary arrangements for them to be accredited;
 - f) The national committees could, besides their correspondence, send the propaganda and their regular publications to the entire Republic; the state, district and municipal committees could send them to their national committee and within their respectively territorial areas;
 - g) The Mexican Postal Service will inform the Institute about the offices in which the political parties will deposit their correspondence, guaranteeing that they have the necessary elements for its handling. The representatives that have been authorized and registered by each committee before the Executive Directorate or the committees should invoice the shipments and sign the respective documents;
 - h) The return address will be clearly stated on the correspondence of each political party;
 - i) The Institute will sign the necessary agreements with the Mexican Postal Service for the purposes established in this article; the Mexican Postal Service will inform the Institute of the use that each political party makes of their prerogative, as well as about any irregularity in the use of the prerogative that it knows of, in the established terms and periods, and
 - j) The parties will, in a timely manner, inform the Executive Directorate of the replacement of their certified representatives, so that it can notify the Mexican Postal Service.

Article 71.

1. The telegraphic exemptions can exclusively be used in the national territory and will be subjected to the following rules:

- a) The telegraphic exemptions can only be used by the national committees of each political party;
- b) The national committees can use the exemptions for their communications in the entire Republic;
- c) The exemptions will be used by two certified representatives for each of the national committees. The names and signatures of the certified representatives will be registered before the Executive Directorate of Prerogatives and Political Parties so that it will inform this to the corresponding public body;
- d) Telegrams will be only used in emergency cases, and the texts of the telegrams will be adjusted to the provisions on the matter, and
- e) The telegraphic exemptions may not be used for propaganda, personal matters, or for messages addressed to someone in the same city or urban zone.

2. The Institute will have the necessary in its annual budget to reimburse the cost incurred by the competent public body in complying with these regulations.

EIGHTH TITLE**ON THE AUDITING OF POLITICAL PARTIES****CHAPTER I****Auditing of the Ordinary Permanent Activities of the Political Parties****Article 72.**

1. The political parties should report the incomes and expenditures of the financing for ordinary activities.

2. The following are understood as items of ordinary expenditure:

- a) The programmed expenditures that include the resources used by the political party with the aim to ensure the citizen participation in the democratic life, the dissemination of the political culture and the political leadership of women;
- b) *[The expenditure of campaign party structure made during the electoral processes;]*

This portion has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

- c) The expenditure of the internal processes of candidate selection,

- which cannot be higher than two percent of the ordinary expenditure established for the year in which the internal process takes place;
- d) The wages and salaries of the personnel, the lease of movable assets and real estate, stationary, electric energy, fuel, travel allowances and other similar;
 - e) The propaganda of an institutional nature that they carry out only to disseminate the emblem of the political party, as well as the different democratic consolidation campaigns, without establishing any type of phrase or inscription that suggests any political position in them, and
 - f) *[The expenditure related the electoral structures that include all expenditure necessary for the maintenance and functioning of the personnel that participates in the name of or to benefit the political party in the sector, district, municipal, state or national area of the political parties in the campaigns.]*

This portion has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

3. *[The electoral structural expenditure will include those incurred in the payment of travel allowances and food of:*

- a) The members of the internal bodies of the political parties in their ordinary and extraordinary statutory activities;
- b) *The members of the committees or equivalent in the states, provided for in paragraph 2 of article 43 of this Law, in activities before the internal bodies of the national political parties;*
- c) *The members of the internal bodies of the national political parties before the committees or equivalent in the states provided for in paragraph 2 of article 43 of this Law;*
- d) *The representatives of the political parties before the Institute or before the Local Public Bodies;*
- e) *The representatives of the political parties in the polling stations receiving the votes;*
- f) *Those deriving from the agreement issued by the General Council, at the proposal by the Auditing Commission, before the delivery of the reports of ordinary expenditure of each of the exercises, and*
- g) *The institutional propaganda that spread the government achievements of each of the political parties or coalitions.]*

Paragraph 3 has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

Article 73.

1. The political parties could use the resources allocated to the training, promotion and development of the political leadership of women for the following activities:

- a) The conduct of research that aims to inform the citizens of the evolution, development, progress and any other topic of interest related with the political leadership of women;
- b) The preparation, publication and distribution of books, magazines, pamphlets or any type of dissemination of topics of interest related with gender parity;
- c) The organization of working groups, conferences, workshops, events and projections that allow the dissemination of topics related with the development of women in their incorporation into the political life;
- d) The creation of propaganda and publicity related with the exercise and development of the actions on the matter, and
- e) All expenses necessary for the organization and dissemination of the mentioned actions.

Article 74.

1. The political parties could, in their reports, include specific activities that they develop as public interest entities, the following being understood as such:

- a) The political education and training, which implies the conduct of any type of event or action that promotes the political participation, the civic values and the respect for the human rights among the citizens;
- b) The conduct of socioeconomic and political research;
- c) The preparation, publication and distribution, through any means of dissemination, of information of interest to the political party, of the members and supporters, and
- d) All expenses necessary for the organization and dissemination of the mentioned actions.

CHAPTER II**Auditing of the Political Parties during the Electoral Processes****Article 75.**

1. The General Council, at the proposal of the Auditing Commission and before the pre-campaigns begin, will determine the types of expenditure which will be regarded as pre-campaign expenditure in accordance with the nature of the calls issued by the political parties.

Article 76.

1. For the purposed of this Chapter, the following are understood as campaign expenditure:

- a) Propaganda expenses: Includes the ones incurred for fences, banners, leaflets, placards, sound systems, political events held in rented places, utilitarian propaganda and other similar;
- b) Operative expenses of the campaign: Includes the wages and salaries of the temporary personnel, the occasional rental of movable assets and real estate, transportation expenses of material and personnel, travel allowances and other similar;
- c) Propaganda expenses in newspapers, magazines and other printed media: Includes those made in any of these media, such as paid insertions, advertisements and similar, intended to obtain votes. In any case, both the contracting party and candidate and the printed media should clearly specify that it is paid propaganda or insertion;
- d) Production expenses of the messages for radio and television: Includes those made for the payment of professional services; the use of technical equipment, locations or recording and production studios, as well as the others related to the same objective;
- e) The expenses aimed to present the registered candidatures of the party and to promote them to the citizens;
- f) The expenses aimed to promote the explanation, development and discussion of the programs and actions of the registered candidates, and of the electoral platform, before the citizens;
- g) Any expense that spreads the image, name or government platform of any candidate or of a political party in the period between the end of the pre-campaign and until the beginning of the electoral campaign, and
- h) The expenses determined by the General Council, at the proposal of the Auditing Commission and before the beginning of the electoral campaign.

2. The expenses incurred by the political parties for their ordinary operation, for the fulfillment of their statutory obligations and for the maintenance of their directive bodies and their organizations, are not considered as campaign expenditure.

3. All the goods and services used for the campaign should directly aim to obtaining votes in the federal or local elections; [with the exception of expenditure related to electoral structures, which will be considered as ordinary operative expenditure.]

This portion has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

CHAPTER III

On the Income and Expenditure Reports of the Political Parties

Article 77.

1. The internal body of the political parties provided for in article 43, subparagraph c), of this Law will be responsible for the administration of their assets and of their general, pre-campaign and campaign resources, as well as for the presentation of the reports referred to in this Chapter. This body will be made up in the terms and with the modalities and characteristics determined freely by each party.

2. The review of the reports that the political parties present regarding the source and use of their ordinary and campaign resources, as applies, as well as the performance of audits on the management of their resources and their accounting and financial situation will be the responsibility of the General Council of the Institute, through the Auditing Commission, which will be in charge of the preparation and presentation to the General Council of the consolidated opinion and draft resolution of the various reports that the political parties are required to present.

Article 78.

1. The political parties should present their quarterly reports and their reports on ordinary expenditure according to the following guidelines:

- a) Quarterly financial reports:
 - I. They will be presented no later than thirty days after the end of the corresponding quarter;
 - II. In the report, the results of the ordinary incomes and expenditures that the parties have obtained and incurred during the corresponding period will be reported;
 - III. During the year of a federal electoral process, the obligations established in this subparagraph will be suspended, and
 - IV. If faults, errors or omissions are found in the revision carried out by the Commission through the Technical Unit, the political party will be notified so that it remedies them or makes the appropriate clarifications. The reports constitute a precedent for the annual review carried out by the authority.
- b) Annual reports on ordinary expenditure:

- I. They will be presented no later than sixty days after the last day of December of the year that the report covers;
- II. In the report on ordinary expenditure, the total incomes and ordinary expenditures that the parties have received or incurred during that year in question will be reported;
- III. Together with the annual report, the consolidated declaration of the financial situation will be presented, which will include the assets, debts and trusts, as well as a detailed report on the real estate belonging to the corresponding party, and
- IV. The reports referred to in this subparagraph should be authorized and signed by the external auditor that each party appoints for this purpose.

2. The national political associations will present an annual income and expenditure report, within the same timeline set out in section I of subparagraph a) of paragraph 1 of this article, following the guidelines established in the applicable regulations.

Article 79.

1. The political parties should present pre-campaign and campaign reports, according to the following rules:

a) Pre-campaign reports:

- I. They should be presented by the political parties for each of the pre-candidates for candidatures for elective offices registered for each type of pre-campaign, specifying the source and amount of the incomes, as well as the expenses incurred;
- II. The candidates and pre-candidates are jointly responsible for the compliance of the campaign and pre-campaign reports. For this purpose, the violations they incur will be analyzed separately;
- III. The reports should be presented no later than ten days after the end of the pre-campaigns;
- IV. The costs of the organization of the internal processes for the selection of pre-candidates incurred by the political parties will be reported in the corresponding annual report, and
- V. All propaganda placed in the period of the pre-campaigns and that remain in public thoroughfares after the end of this process or, where applicable, after the party nominates its candidates, especially propaganda that contains a picture, the name, surnames, epithet or nickname of the winning pre-candidate in the internal process, will be considered as campaign expenses of this candidate, which should be reported in the corresponding reports.

b) Campaign reports:

- I. They should be presented by the political parties for each of the campaigns in the respective elections, specifying the expenditures incurred by the political party and the candidate in the corresponding territorial area;
- II. The candidate is jointly responsible for the compliance with the expenditure reports referred to in the previous section, and
- III. The political parties will present income and expenditure reports for each thirty day period from the start of the campaign stage, and these should be delivered to the Technical Unit within the three days following the conclusion of each period.

Article 80.

1. The procedure for the presentation and revision of the reports of the political parties will be subject to the following rules:

a) Quarterly progress reports:

- I. Once the quarterly reports have been submitted, if the Technical Unit finds faults, errors or omissions in its review, the party will be notified so that it remedies them or makes the appropriate clarifications, and
- II. In all events, the quarterly reports are of an exclusively informative nature for the authority.

b) Annual reports:

- I. Once the annual reports have been submitted, the Technical Unit will have a period of sixty days to review them and is, at any time, entitled to request the documents necessary to verify the accuracy of the information included in the reports from the body established in article 43, subparagraph c) of this Law of every party;
- II. If the Technical Unit, during the revision of the report, notices the existence of technical errors or omissions, it will notify the political party responsible for them, so that it will present the clarifications or rectifications that it considers relevant within a period of ten days after being alerted;
- III. The Technical Unit is required to notify the political party of whether the clarifications or rectifications made by it correct the errors or omissions found and, where applicable, to give it a non-extendable time limit of five days to correct them. The Technical Unit will likewise inform the party about the result before the

- expiration of the deadline for the preparation of the consolidated opinion referred to in the following section;
- IV. Once the deadline referred to in section I of this subparagraph has expired or, where applicable, the time allowed for the rectification of errors or omissions has passed, the Technical Unit will have a period of twenty days to issue the consolidated opinion, as well as the respective draft resolution, in order to submit them for the consideration of the Auditing Commission;
 - V. The Auditing Commission will have ten days to approve the drafts issued by the Technical Unit, and
 - VI. Once the deadline referred to in the previous section has expired, the Auditing Commission will, within seventy-two hours, present the draft before the General Council, which will have ten days to discuss and approve it.
- c) Pre-campaign reports:
- I. Once the reports on pre-campaign expenditure have been submitted, the Technical Unit will have a period of fifteen days to review these reports;
 - II. Where applicable, the Technical Unit will inform the political parties of the existence of technical errors or omissions and it will notify them so that they will present the clarifications or rectifications that they consider relevant within a period of seven days after being alerted;
 - III. Once the deadline referred to in the previous section has expired, the Technical Unit will have a period of ten days to issue the consolidated opinion, as well as the respective draft resolution, in order to submit them for the consideration of the Auditing Commission;
 - IV. The Auditing Commission will have six days to approve the drafts issued by the Technical Unit, and
 - V. Once the six day period has expired, the Auditing Commission will, within seventy-two hours, present the draft before the General Council, which will have six days to discuss and approve it.
- d) Campaign reports:
- I. The Technical Unit will review and audit the use that the political parties make of the campaign resources simultaneously to the development of the campaign;
 - II. Once the reports on campaign expenditure have been submitted, the Technical Unit will have a period of ten days to review the supporting documents and the presented accounts;

- III. In the event that the authority notices the existence of technical errors or omissions in the supporting documents and the presented accounts, it will give the political party a period of five days from the notification to present the clarifications or rectifications that it considers relevant;
- IV. Once the revision of the last report has been completed, the Technical Unit will have a period of ten days to issue the consolidated opinion, as well as the respective draft resolution, in order to submit them for the consideration of the Auditing Commission;
- V. Once the Technical Unit has submitted the consolidated opinion and the draft resolution for the consideration of the Auditing Commission, it will have six days to vote on these drafts and to present them to the General Council, and
- VI. Once the consolidated opinion and the respective draft resolution have been approved, the Auditing Commission will, through its President, submit the drafts to the General Council for its consideration, in order for it to vote on them within a non-extendable period of six days.

Article 81.

1. All the opinions and draft resolutions issued by the Technical Unit should at least contain:

- a) The result and the conclusions of the review of the reports that the political parties have presented;
- b) Where applicable, a mention of the errors or irregularities found in them, and
- c) A statement of the clarifications or rectifications that the political parties presented after being notified for this purpose.

Article 82.

1. The political parties could challenge the consolidated opinion and decision issued by the General Council before the Tribunal, in the manner and terms set out in the law on the matter, in which case the General Council of the Institute should:

- a) To send, together with the complaint, the consolidated opinion of the Technical Unit and the respective report to the Tribunal;
- b) To send to the Official Gazette of the Federation for publication, once the deadline for the lodging of complaints has passed or, if complaints were lodged, once the Tribunal has issued the corresponding ruling, a

- synopsis of the opinion, of the decision approved by the General Council and, where applicable, the ruling issued regarding the complaint, and
- c) To publish on the website of the Institute the full text of the opinion, as well as the decision approved by the General Council and, where applicable, the rulings issued by the Tribunal.

Article 83.

1. The generic campaign expenses will be distributed between the benefitted campaigns in accordance with the following:

- a) Generic campaign expenses are understood as those incurred in campaign and propaganda activities, in which the party or the coalition promotes or invites to vote for a group of candidates for elective offices that it nominates, provided that the candidate or the type of campaign is not specified;
- b) The generic expenses in which no candidate or type of campaign is identified, but some public policy or proposal of the party or coalition is disseminated, and
- c) In the cases in which the emblem is published or disseminated or the slogans with which the party, coalition or their candidates identify themselves or that are included in their electoral platforms are mentioned.

2. In the cases when two or more candidates for elective offices are promoted, the campaign expenses will be distributed in the following manner:

- a) In the event of a candidate for President of the Republic and a candidate for Senator, forty percent of the expenses will be distributed to President of the Republic and sixty percent to the candidate for Senator;
- b) In the event of a candidate for President of the Republic and a candidate for Federal Representative, sixty percent will be distributed to the candidate for President of the Republic and forty percent to the candidate for Federal Representative;
- c) In the event of candidates for President of the Republic, Senator and Federal Representative, twenty percent will be distributed to President of the Republic, fifty percent to the candidate for Senator and thirty percent to the candidate for Federal Representative;
- d) In the event that the campaign expenses are integrated by candidates for President of the Republic, Senator, Federal Representative and a local campaign, fifteen percent will be distributed to the candidate for President of the Republic; thirty-five percent to the candidate for Senator; twenty-five percent to the Federal Representative and twenty-five percent to the respective local campaign;

- e) In the event that a candidate for President of the Republic and a local campaign are involved, forty percent will be distributed to the candidate for President of the Republic and sixty percent to the local campaign;
 - f) In the event that they are integrated by candidates for President of the Republic, Senator and a local campaign, twenty percent will be distributed to the candidate for President of the Republic; sixty percent to the candidate for Senator and twenty percent to the candidate of the respective local election;
 - g) In the event that candidates for President of the Republic, Federal Representatives and a local candidate participate, forty percent will be distributed to the candidate for President, thirty-five percent to the candidate for Federal Representative and twenty-five percent to the candidate in the local election;
 - h) In the event that a candidate for Senator and a candidate for Federal Representative participate, seventy percent of the expenses will be distributed to the candidate for Senator and thirty percent to the candidate for Federal Representative;
 - i) In the event that a candidate for Senator, a candidate for Federal Representative and a local candidate participate, fifty percent will be distributed to the candidate for Senator, thirty percent to the candidate for Federal Representative and twenty percent to the candidate in the local campaign;
 - j) In the event that a candidate for Senator and a local candidate participate, seventy-five percent will be distributed to the candidate for Senator and twenty-five percent to the candidate in the respective local election;
 - k) In the event that a candidate for Federal Representative and a candidate related with a local campaign participate, fifty percent will be distributed to each, and
 - l) In the event of federal campaigns, if there are more than two candidates for Senator or Federal Representatives in the same geographic area, the percentage will be divided between the involved candidates according to the corresponding campaign. The same assumption will be applicable for the local campaigns.
- 3.** It is understood as expenses that benefit a candidate when any of the following assumptions coincide:
- a) The name of the candidate nominated by the party of coalition is mentioned;
 - b) A picture of the candidate is disseminated, or
 - c) The vote in favor of this campaign is expressly promoted.

4. The Regulations on Auditing will develop the previous rules and will establish the rules for the accounting record and the verification of the expenses referred to in this article.

Article 84.

1. The President Councilor, the Electoral Councils and the Executive Secretary can at any time request reports on the ordinary expenditure of the national and local political parties from the Auditing Commission.

2. Regarding the pre-campaign and campaign reports, the Auditing Commission will, in a private session, give a report on the progress of the reviews to the Electoral Councilors every twenty-five days.

NINTH TITLE

ON THE ALLIANCES, THE COALITIONS AND THE MERGERS

Article 85.

1. The political parties could form alliances to achieve shared political and social aims of a non-electoral nature through specific and common actions and strategies.

2. The political parties could, for electoral purposes, form a coalition to nominate the same candidates in the federal elections, provided that they meet the requirements established in this Law.

3. Two or more political parties could merge to form a new political party or to incorporate themselves into one of them.

4. The newly registered parties cannot form alliances, coalitions or mergers with another political party before the end of the first federal or local election immediately after their registration, as applies.

5. The states will have the power to establish other forms of participation or association of the political parties in order to nominate candidates in their Local Constitution.

6. The validity of the coalition agreement, the act of association act or of participation will be presumed, provided that it was made in the terms established in the statutes and approved by the competent bodies, unless proven otherwise.

CHAPTER I
On the Alliances

Article 86.

1. In order to form an alliance, an agreement should be signed, in which the following should be stated:

- a) Its duration;
- b) The causes that motivate it;
- c) The purposes pursued, and
- d) The form in which the political parties agree to jointly exercise their prerogatives, within the statements of this Law.

2. The agreement that is signed to form an alliance should be presented to the Institute, which should, within ten working days, determine if it complies with the legal requirements and, where applicable, will arrange for its publication in the Official Gazette of the Federation for it to take effect.

3. The national political parties that make up an alliance will maintain their legal personality, their registration and their identity.

CHAPTER II On the Coalitions

Article 87.

1. The national political parties could form coalitions for the elections of President of the United Mexican States, as well as of senators and of representatives by the principle of plurality.

2. The national and local political parties could form coalitions for the elections of Governor, representatives for the local legislatures by plurality and to city councils, as well as Chief of Government, representatives to the Legislative Assembly by plurality and the heads of the political-administrative bodies of the boroughs of the Federal District.

3. The political parties cannot nominate their own candidates where there are already candidates of a coalition which they are part of.

4. No political party can register as its own candidate a person who has already been registered as a candidate by any coalition.

5. No coalition can nominate as a coalition candidate a person who has already been registered as a candidate by any political party.

6. No political party can register a candidate of another political party. This prohibition will not be applied in the event that there is a coalition in the terms of this Chapter or, where applicable, under the assumptions set out in paragraph 5 of article 85 of this Law.

7. The political parties that form a coalition to participate in the elections should sign and register the corresponding agreement in the terms of this Chapter.

8. The coalition agreement could be signed by two or more political parties.

9. The political parties cannot sign more than one coalition agreement for the same federal or local electoral process.

10. The political parties cannot distribute or transfer votes through a coalition agreement.

11. Once the stage of results and of declarations of validity of the elections of senators and representatives has concluded, the coalition by which the candidates were nominated will automatically end, in which case the candidates for senators or representatives of the coalition that were elected will remain included in the political party or parliamentary group that was set out in the coalition agreement.

12. Independently of the type of election, agreement and terms adopted by the coalition parties in the agreement, each of the parties will appear with their own emblem in the electoral ballot, according to the election in question; the votes will be added up for the candidate of the coalition and will count for each of the political parties for all purposes established in this Law.

13. The votes in which more than one option of the coalition parties were marked, they will be considered valid for the nominated candidate and will count as a single vote *[and without it being possible to take them into account for the allocation of proportional representation and other prerogatives]*.

This portion has been declared unconstitutional by ruling 22/2014
of the Supreme Court.

14. In all events, each of the coalition parties should register their own lists of candidates for representatives by the principle of proportional representation and their own list of candidates for senators by the same principle.

15. The coalitions should be uniform. No political party should participate in more than one coalition and the coalitions cannot be different, in regards to the parties that participate in them, by the type of election.

Article 88.

1. The political parties could form total, partial or flexible coalitions.

2. A total coalition is understood as one in which the political parties that form a coalition nominate all of their candidates for elective offices under the same political platform in a given federal or local process.

3. If two or more parties form a total coalition for the election of senators or representatives, they should also form a coalition for the election of President of the United Mexican States. In the case of the local elections, if two or more political parties form a total coalition for the election of local representatives or of representatives for the Local Assembly, they should also form a coalition for the election of Governor or Chief of Government.

4. If, once a total coalition has been registered, the coalition does not register candidates for the elective offices in the terms of the previous paragraph and

within the timeframe set out for this purpose in this Law, the coalition and the registration of the candidate for the election of President of the United Mexican States, Governor or Chief of Government will automatically cease to have effect.

5. A partial coalition is one in which the political parties that form a coalition nominate at least fifty percent of their candidates for elective offices under the same political platform in a given federal or local process.

6. A flexible coalition is understood as one in which the political parties that form a coalition nominate at least twenty-five percent of their candidates for elective offices under the same political platform in a given federal or local process.

Article 89.

1. In all events, for the registration of a coalition, the political parties that wish to form a coalition should:

- a) Prove that the coalition was approved by the national management body established by the statutes of each of the political parties that form a coalition and that these bodies expressly approved the electoral platform and, where applicable, the government program of the coalition or of one of the coalition parties;
- b) Where applicable, verify that the respective party bodies of each of the political parties that form a coalition approved the nomination and the registration of a given candidate for the presidential election;
- c) Where applicable, prove that the respective party bodies of each of the political parties that form a coalition approved to nominate and register the candidates for offices of representatives and senators by the principle of plurality as a coalition, and
- d) In due time, each party forming the coalition in question should separately register the list of candidates for representatives and senators by the principle of proportional representation.

Article 90.

1. In the case of coalitions, independently of the election for which they are formed, each party will maintain its own representation in the councils of the Institute and before the directive boards of the polling stations.

Article 91.

1. The coalition agreement will, in all cases, contain:

- a) The political parties that form it;

- b) The federal or local electoral process that gives rise to it;
- c) The procedure that each party will follow for the selection of the candidates that will be nominated by the coalition;
- d) The electoral platform and, where applicable, the government program supported by its candidate for President of the United Mexican States should be appended, as well as the documents in which the approval of the corresponding party bodies is recorded;
- e) Where applicable, a statement of the political party to which each of the candidates registered by the coalition originally belong and a statement of the parliamentary group or political party to which they will belong if they are elected, and
- f) For the case of the lodging of challenges set out in the law on the matter, who will be empowered to represent the coalition.

2. In the coalition agreement it should be stated that the political parties that form a coalition, according to the type of coalition in question, subject themselves to the campaign expenditure ceilings that have been set for the various elections, as if they were only one party. In the same way, the amount of the contributions of each of the political parties that form a coalition for the development of the respective campaigns should be set out, as well as the form it will be reported in the corresponding reports.

3. The total, partial and flexible coalitions will receive the prerogatives of access to airtime in radio and television in the terms set out in the General Law on Electoral Institutions and Procedures.

4. In all cases, the messages in radio and television of the coalition candidates should identify this quality and the party responsible for the message.

5. The established in Section A of Basis III of article 41 of the Constitution is applicable to the electoral coalitions, independently of their territorial area and the type of election, at all times and for all circumstances.

Article 92.

1. The request for the registration of the coalition agreement, according to the case, should be presented to the president of the General Council of the Institute or of the Local Public Body, according to the election that motivates it, appending the appropriate documents, no later than thirty days before the beginning of the pre-campaign period of the election in question. During the absences of the president of the General Council, the agreement could be presented to the executive secretary of the Institute or of the Local Public Body, according to the election that motivates it.

2. The president of the General Council of the Institute or of the Local Public Body will prepare the file and will inform the General Council.

3. The General Council of the Institute or of the Local Public Body will make a decision within the ten days following the presentation of the agreement.

4. Once a coalition agreement has been registered, the Institute or the Local Public Body, according to the election that motivates it, will arrange for its publication in the Official Gazette of the Federation or in the local official gazette, as applies.

CHAPTER III On the Mergers

Article 93.

1. The merger of parties can only be made between two or more national political parties, or two or more local political parties.

2. The national political parties that decide to merger should sign an agreement in which the characteristics of the new party are invariably established, or which of the political parties that maintain their legal personality and the validity of their registration, and which party or parties that become merged. The merger agreement should be approved by the national assembly or equivalent of each of the parties that participate in the merger.

3. For all legal purposes, the validity of the registration of the new political party will be that of the oldest party among those that merge.

4. The rights and prerogatives corresponding to the new party will be recognized and allocated on the basis of the sum of the percentages of votes that the merged parties obtained in the last election for federal representatives or, where applicable, for local representatives or representatives to the Legislative Assembly by the principle of proportional representation.

5. The merger agreement should be presented to the president of the General Council of the Institute or of the Local Public Body so that he, once the review referred to in paragraph 2 of article 93 of this Law is completed, submits it for the consideration of the General Council.

6. The General Council of the Institute or of the Local Public Body will decide on the validity of the registration of the new party, within the thirty days following its presentation and, where applicable, will arrange for its publication in the Government Gazette of the Federation.

7. For electoral purposes, the merger agreement should be passed on to the president of the General Council of the Institute or of the Local Public Body no later than one year before the day of the election.

TENTH TITLE
ON THE LOSS OF REGISTRATION OF THE POLITICAL PARTIES

CHAPTER I
On the Loss of Registration

Article 94.

- 1.** The following are causes for the loss of registration of a political party:
- a) To not participate in an ordinary electoral process;
 - b) To fail to obtain, in the immediately previous ordinary election, at least three percent of the validly cast votes in any of the elections for representatives, senators or President of the United Mexican States in the case of national political parties, or for Governor, representatives to the local legislatures and city councils as well as Chief of Government, representatives to the Legislative Assembly and the heads of the political-administrative bodies of the boroughs of the Federal District in the case of a local political party;
 - c) To fail to obtain at least three percent of the validly cast votes in any of the ordinary federal elections for representatives, senators or President of the United Mexican States in the case of a national political party, or for Governor, representatives to the local legislatures and city councils as well as Chief of Government, representatives to the Legislative Assembly and the heads of the political-administrative bodies of the boroughs of the Federal District in the case of a local political party, if the party participates in a coalition;
 - d) To no longer comply with the requirements necessary to obtain the registration;
 - e) To seriously and systematically fail to comply with the obligations set out in the electoral legislation, as determined by the General Council of the Institute or of the Local Public Bodies;
 - f) To have been declared as dissolved by an agreement by its members, in accordance with the provisions of its statutes, and
 - g) To have merged with another political party.

Article 95.

1. For the loss of registration referred to in subparagraphs a) to c) of paragraph 1 of the previous article, the General Executive Board of the Institute will issue the corresponding declaration, which should be based on the respective results of the counts and declarations of validity of the councils

of the Institute, as well as in the rulings of the Electoral Tribunal, and it should be published in the Official Gazette of the Federation.

2. In the cases referred to in subparagraphs d) to g) of paragraph 9 of article 22, and e) to g) of paragraph 1 of the previous article, the decision of the General Council of the Institute on the loss of registration of a political association or of a political party, according to the case, will be published in the Official Gazette of the Federation. It cannot be decided on the loss of registration due to the cases provided for in subparagraphs e) and f) of paragraph 9 of article 22 and d) and e) of paragraph 1 of the previous article, without the interested political association or political party previously being heard in its defense.

3. The declaration of loss of registration of a local political party or association should be issued by the General Council of the Local Public Body, justifying and motivating the causes of the same, and it will be published in the official gazette or newspaper of the state.

4. The loss of registration of a political party does not affect the victories of their candidates in the elections according to the principle of plurality.

5. If a national political party loses its registration due to not receiving the minimum percentage of votes in the last ordinary federal electoral process, it could opt for registration as a local political party in the state or states in which it received at least three percent of the validly cast votes in the immediately previous election and in which it nominated its own candidates in at least half the municipalities and districts, based on which the requirement of the minimum number of members that it should have, established in article 10, paragraph 2, subparagraph c) of this Law, is considered complied with and proven.

Article 96.

1. The political party that loses its registration will have its registration cancelled and will lose all the rights and prerogatives established by this Law or the respective local laws, as applies.

2. The cancellation or loss of registration will extinguish the legal personality of the political parties, but those who have been its leaders and candidates should comply with the obligations regarding auditing established by this Law until the conclusion of the respective procedures and the liquidation procedures of its assets.

CHAPTER II

On the Liquidation of the Assets of the Political Parties

Article 97.

1. In accordance with the established by the last paragraph of Basis II of

Article 41 of the Constitution, the Institute will dispose of the necessary in order for the remaining resources and properties of the national political parties that lose their legal registration to be allocated to the Federation; for this purpose, it will be as follows, and as set out by the General Council of the Institute in the rules of a general character:

- a) If from the counts made by the district councils of the Institute it is deduced that a national political party does not obtain the minimum percentage of votes established in subparagraph b) of paragraph 1 of article 94 of this Law, the Auditing Commission will immediately appoint an asset liquidator responsible for the direct control and monitoring of the use and application of the resources and properties of the party in question. The same will apply in the event that the General Council of the Institute declares the loss of legal registration due to any other of the causes established in this Law;
- b) The appointment of the asset liquidator will be notified immediately to the party in question, through its representative before the General Council of the Institute. In the absence of the representative, the notification will be made to the public address of the affected party, or in extreme cases through a courtroom notification;
- c) As of his appointment, the asset liquidator will have the broadest powers for acts of administration and possession over all of the properties and resources of the political party that did not reach the minimum percentage of votes referred to in subparagraph a) of this article, due to which all expenses incurred by the party should be expressly authorized by the asset liquidator. The movable assets and real estate that make up the assets of the political party cannot be transferred, encumbered or donated, and
- d) Once the General Executive Board issues the declaration of loss of legal registration referred to in article 95 of this Law, or the General Council, in the use of its powers, has declared its decision regarding the cancellation of the legal registration of a national political party for any of the causes established in this Law and published it in the Official Gazette of the Federation, the appointed asset liquidator should:
 - I. Issue a notification of liquidation of the political party in question, and this notification should be published in the Official Gazette of the Federation in the case of a national political party or in the official gazette or newspaper of the state in the case of a local political party, for the appropriate legal effects;
 - II. Determine the labor and fiscal obligations, and the obligations with suppliers and creditors, of the political party being liquidated;

- III. Determine the amount of resources or the value of the property susceptible to being used for the fulfillment of the obligations;
- IV. Order the necessary to cover the obligations set out by the law for the protection and benefit of the workers of the political party being liquidated. Once this has been done, the corresponding fiscal obligations should be covered. If any available resources remain, the other duly documented contracted obligations with suppliers and creditors of the political party being liquidated will be attended to, applying where appropriate the laws on this matter;
- V. Prepare a report on the actions that have been carried out, which will include the balance of the remaining properties and resources after establishing the estimates necessary for the previously mentioned purposes; the report will be submitted for the approval of the electoral authority. Once the report with the liquidation balance of the party in question has been approved, the asset liquidator will order the necessary in order to cover the fixed obligations, in the previously mentioned order of precedence;
- VI. If any properties or resources remain after carrying out the previous, these will be allocated to the Treasury of the Federation in the case of a national political party, or to the treasury of the corresponding state in the case of a local political party, and
- VII. The political party in question should at all times be guaranteed the exercise of the rights that the Constitution and the applicable laws establish for these cases. The decisions of the national or local authority can be legally challenged.

TRANSITORY ARTICLES

FIRST. This Law will enter into force the day after its publication in the Official Gazette of the Federation.

SECOND. The issues being processed when this Decree enters into force will be resolved in accordance with the rules in force when they began. The previous without prejudice to the application, where appropriate, of the deadlines set out in the transitory articles of this Decree.

THIRD. The Congress of the Union, the local Congresses and the Legislative Assembly of the Federal District should adjust the electoral legal framework no later than June 30, 2014.

FOURTH. The Institute will issue the necessary provisions to implement the provisions of this Law no later than June 30, 2014.

FIFTH. The political parties should adjust their basic documents and other internal regulations to the established in this Law and in the other applicable legal provisions no later than September 30, 2014.

SIXTH. The political parties that lack any of the internal bodies set out in this or other legal provisions when this Law enters into force should modify their organic structure and appoint the persons in charge of the same, in order to comply with the corresponding provisions, no later than September 30, 2014.

SEVENTH. The rights of the political parties will be respected, in accordance with the Law.

EIGHTH. The requests of the political parties for the Institute to organize their internal elections that were presented before this Decree enters into force will not be subject to the deadline established in subparagraph b of paragraph 2 of article 45 of this Law. The requests presented in 2014 should be submitted to the Institute for its consideration one month in advance.

NINTH. All provisions that contradict this Decree are repealed.

Mexico City, May 15, 2014.- Senator **Raúl Cervantes Andrade**, President.- Representative **José González Morfín**, President.- Senator **Lilia Guadalupe Merodio Reza**, Secretary.- Representative **Ángel Cedillo Hernández**, Secretary.- Signatures.”

In compliance with the established by section I of Article 89 of the Political Constitution of the United Mexican States, and for its due publication and observance, I issue this Decree in the Residency of the Federal Executive Branch, in Mexico City, Federal District, on the twenty-second of May of 2014.- **Enrique Peña Nieto**.- Signature.- Minister of the Interior, **Miguel Ángel Osorio Chong**.- Signature.

General Law on Political Parties of Mexico

Tribunal Electoral del Poder Judicial de la Federación

México 2015

